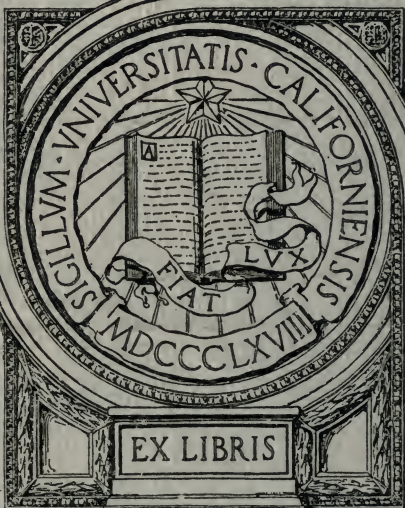


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ELECTION LAWS



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ELECTION LAWS
OF THE
State of Connecticut
AND
Laws of the United States
CONCERNING
Naturalization.

Unless otherwise indicated, section numbers herein refer to sections from the General Statutes of Connecticut, Revision of 1902.

§ 43. Election by illegal practices. Every person elected to either house of the general assembly by any illegal practice shall be incapable of holding his seat, unless he can show to the satisfaction of such house that he was not directly or indirectly concerned in it; and if any person, elected a representative of any town, shall himself, or by any other person, offer or distribute gratuitously among the electors any liquors, on the day of their meeting for the choice of representatives, or shall, on any previous day, entertain the

electors, in like manner, with the intent to procure their votes; he shall be considered as guilty of undue influence and illegal practice, and shall forfeit his seat in the house.

§ 145. **Election; office; vacancy.** There shall be an attorney-general chosen by ballot in the same manner as other state officers on the Tuesday after the first Monday of November, 1902, and quadrennially thereafter, to hold his office for a term of four years from and after the Wednesday following the first Monday of the next succeeding January, and until his successor is duly chosen and qualified. He shall be an elector of this state, and an attorney-at-law of at least ten years active practice at the bar of this state. His office shall be at the capitol. Any vacancy arising shall be filled by appointment by the governor, for the unexpired term.

§ 189. **How constituted. Judge; term; clerk.** There shall be a court of probate in each probate district, held by one judge, elected biennially for that purpose, whose term of office shall commence on the Wednesday after the first Monday in January next succeeding his election; and such judge, before entering upon his duties, shall be sworn, and shall record his certificate of election upon the records of his court; and each court of probate shall have a

clerk appointed by it, and sworn, who shall continue in office until he shall resign, be removed, or superseded.

§ 415. Justices when and how elected. Justices of the peace shall be elected biennially, at the electors' meetings held for the choice of state officers and representatives; and those persons, not exceeding the legal number, who shall receive a plurality of the votes in each town, shall be declared elected by the presiding officer.

§ 1590. Congressional representation and districts. For the purpose of representation in the congress of the United States, there shall be elected in the manner provided by law one representative who shall be designated as "Representative at Large," and who shall be voted for by all the electors of this state. The other representatives in said congress shall be chosen respectively from each of the following districts, viz.:

District number one, to consist of the counties of Hartford and Tolland.

District number two, to consist of the counties of New Haven and Middlesex.

District number three, to consist of the counties of New London and Windham.

District number four, to consist of the counties of Fairfield and Litchfield.

§ 1591. As amended by Chap. 178, Pub. Acts, 1903. Senatorial districts. The senate shall consist of thirty-five senators, and the state shall be divided into thirty-five districts, in each of which one senator shall be elected, as follows: District number one, to consist of wards eight, nine, and ten in the city of Hartford. District number two, to consist of wards three, four, five and six in the city of Hartford. District number three, to consist of wards one, two, and seven in the city of Hartford. District number four, to consist of the towns of East Hartford, Glastonbury, Manchester, Marlborough, Newington, South Windsor, Rocky Hill, and Wethersfield. District number five, to consist of the towns of Avon, Berlin, Bristol, Burlington, Farmington, Plainville, Southington, and West Hartford. District number six, to consist of the town of New Britain. District number seven, to consist of the towns of Bloomfield, Canton, East Granby, East Windsor, Enfield, Granby, Hartland, Simsbury, Suffield, Windsor, and Windsor Locks. District number eight, to consist of wards eight, nine, twelve, and fourteen in the city of New Haven. District number nine, to consist of wards one, two, ten, and thirteen in the city of New Haven. District number ten, to consist of wards three, four, and five in the city of New Haven. District number eleven, to consist of wards six,

seven, eleven, and fifteen in the city of New Haven. District number twelve, to consist of the towns of Branford, East Haven, Guilford, Hamden, Madison, North Branford, North Haven, and Wallingford. District number thirteen, to consist of the town of Meriden. District number fourteen, to consist of the towns of Bethany, Cheshire, Milford, Naugatuck, Orange, Prospect, Woodbridge, and Wolcott. District number fifteen, to consist of wards one, two, and three in the city of Waterbury. District number sixteen, to consist of wards four and five in the city of Waterbury. District number seventeen, to consist of the towns of Ansonia, Beacon Falls, Derby, Middlebury, Oxford, Seymour, and Southbury. District number eighteen, to consist of the towns of Groton and New London. District number nineteen, to consist of the towns of Ledyard, Norwich, and Preston. District number twenty, to consist of the towns of Bozrah, Colchester, East Lyme, Franklin, Griswold, Lyme, Lebanon, Lisbon, Montville, North Stonington, Old Lyme, Salem, Sprague, Stonington, Voluntown, and Waterford. District number twenty-one, to consist of voting districts one, two, three, four and five in the city of Bridgeport. District number twenty-two, to consist of voting districts six, seven, eight, and eleven in the city of Bridgeport. District number twenty-three, to consist of

voting districts nine, ten, and twelve in the city of Bridgeport. District number twenty-four, to consist of the towns of Bethel, Brookfield, Danbury, New Fairfield, Redding, Ridgefield, and Sherman. District number twenty-five, to consist of the towns of Easton, Fairfield, Huntington, Monroe, Newtown, Stratford, Trumbull, Weston, and Westport. District number twenty-six, to consist of the towns of Darien, New Canaan, Wilton, and Norwalk as it was January 1, 1903. District number twenty-seven, to consist of the towns of Greenwich and Stamford. District number twenty-eight, to consist of the towns of Ashford, Eastford, Killingly, Putnam, Thompson, and Woodstock. District number twenty-nine, to consist of the towns of Brooklyn, Canterbury, Chaplin, Hampton, Plainfield, Pomfret, Scotland, Sterling, and Windham. District number thirty, to consist of the towns of Goshen, Harwinton, Litchfield, New Hartford, and Torrington. District number thirty-one, to consist of the towns of Barkhamsted, Canaan, Colebrook, Cornwall, Kent, Norfolk, North Canaan, Salisbury, Sharon, and Winchester. District number thirty-two, to consist of the towns of Bethlehem, Bridgewater, Morris, New Milford, Plymouth, Roxbury, Thomaston, Warren, Washington, Watertown, and Woodbury. District number thirty-three, to consist of the towns of Cromwell, Mid-

dlefield, and Middletown. District number thirty-four, to consist of the towns of Chatham, Chester, Clinton, Durham, East Haddam, Essex, Haddam, Killingworth, Old Saybrook, Portland, Saybrook, and Westbrook. District number thirty-five, to consist of the towns of Andover, Bolton, Columbia, Coventry, Ellington, Hebron, Mansfield, Somers, Stafford, Tolland, Union, Vernon, and Willington.

§ 1592. Town voting districts. At electors' meetings, and, where so declared by law, at town and city meetings, the towns of Avon, Barkhamsted, Berlin, Bethany, Branford, Bridgeport, Bristol, Brooklyn, Burlington, Canton, Chatham, Danbury, Derby, East Lyme, East Windsor, Enfield, Essex, Fairfield, Farmington, Griswold, Groton, Haddam, Hartford, Huntington, Killingly, Litchfield, Meriden, Middletown, New Britain, New Hartford, New Haven, Newtown, North Branford, Norwalk, Norwich, Orange, Plymouth, Redding, Stafford, Stamford, Stonington, Stratford, Thompson, Wallingford, Waterbury, *Windsor, and Woodstock are, and shall remain divided into voting districts; and the number and boundaries of such districts in each town shall be and remain as they are now fixed and established by law; *provided*, that each of the towns of Canton and New Hartford shall, at all town meetings, including the

* Waterford divided into voting districts. Special Laws. Vol. XIV—page 61.

annual meeting and such electors' meetings as are held on the first Monday of October, constitute one voting district, and said meetings shall be held in the first voting district; but for the purpose of voting at other electors' meetings, shall remain divided into two voting districts. All town business of the town of Burlington not requiring a vote by ballot shall be transacted in the first voting district.

§ 1593. Who may be admitted electors. Every male citizen of the United States who shall have attained the age of twenty-one years, who shall have resided in this state for a term of one year next preceding, and in the town in which he may offer himself to be admitted to the privileges of an elector at least six months next preceding the time he may so offer himself, and who, at the time of offering himself shall be able to read in the English language any article of the constitution or any section of the statutes of the state, and shall sustain a good moral character, shall, on taking the oath prescribed by law, be an elector; *provided, however*, that any new or additional qualification herein imposed shall not be required of any person who has heretofore been admitted to the privileges of an elector in this state.

§ 1594. Good moral character: construction. No person shall be deemed to

sustain a good moral character, in accordance with the provisions of section two of article six of the constitution, or shall be admitted to the privileges of an elector, who has, during his minority, been convicted three or more times, of any offense punishable by the laws of this state with imprisonment, or with fine and imprisonment; or who has, within twelve months before reaching his majority, been convicted of any offense mentioned in section three of article six of the constitution; or who, at the time of reaching his majority, was serving a term in jail or prison for any such offense. No idiot or insane person shall be admitted an elector.

§ 1595. **Blind electors.** No person, otherwise qualified to be an elector in this state, shall be held to be ineligible by reason of blindness or defective sight; but if the applicant shall be able to write any article of the constitution or any section of the statutes of this state from dictation, or read the same in raised print or the point characters used by the blind, it shall be sufficient evidence of his ability to read as required by law.

§ 1596. **Deputy-registrars.** Each registrar of voters immediately after his election shall appoint a deputy-registrar, to hold office during his pleasure, and may

at any time fill any vacancy in said office; and he shall file with the town clerk a certificate of every such appointment, and the town clerk shall record the certificate with the records of town meetings.

§ 1597. Duties of deputy-registrars. Every deputy-registrar shall assist his principal when required, discharge his duties in his absence or inability to act, and, in case of the death, removal, or resignation of such principal, shall become registrar, and appoint a deputy, and shall file with the town clerk a certificate of such appointment, which shall be recorded with the records of town meetings.

§ 1598. Vacancy in office of registrar. In case a vacancy shall exist in the office of registrar in consequence of a refusal or failure to accept the office, or a failure to have appointed a deputy-registrar, the selectmen and town clerk shall fill such vacancy by the appointment of some suitable person, who shall not belong to the same political party as the other registrar of such town.

§ 1599. Assistant registrars of voters. Each registrar in any and all towns divided into voting districts may, from time to time, appoint and employ one assistant for each voting district therein, who shall assist the

registrars in the performance of their duties, and shall appoint such assistants for the performance of necessary duties required by this and the succeeding chapter* on election day and the six days preceding.

§ 1600. **To be sworn.** Each registrar, deputy-registrar, and assistant, before entering upon the duties of his office, shall be sworn, and a certificate thereof shall be filed and recorded in the office of the town clerk.

§ 1601. **Who may be registered.** Every person who will have resided in this state one year and in the town six months next preceding an electors' meeting, and who has been admitted or previously registered as an elector in such town, shall, unless he has forfeited the privileges of an elector by a conviction of crime, be entitled to be registered, and after such registration to vote therein. But no person shall be deemed to have lost his residence in any town by reason of his absence therefrom in the service of this state or of the United States; *provided*, that this section shall not be construed to exclude from registration any person on the ground that he cannot read, who was duly admitted an elector of this state before October, 1855.

§ 1602. **List when and how made.** The registrars of every town shall, at least

*§§1632-1617.

twenty days before the electors' meetings to be held on the Tuesday after the first Monday of November, 1902, and biennially thereafter, complete a correct list of all electors in their town, or the voting districts therein, who shall be entitled to vote in such town or voting districts, at such meetings, and shall place on such list under the title "to be made" the names of those persons by whom, or in whose behalf, the claim is made to either registrar, in the manner hereinafter provided, that they will be entitled to be made electors in such town on or before the day of such meeting. The residence of such person shall be written on said list opposite his name and sufficiently described for identification, giving the street and number, if any; and the name of no person shall be placed on any list under the title "to be made" after five o'clock in the afternoon of the fourth Monday preceding the electors' meeting in November; nor shall the name of any person be registered except in the town or district wherein he resides. In towns having less than five thousand inhabitants the claim for registration under the title "to be made" may be made either orally or in writing. In towns having more than five thousand inhabitants no person shall be registered under the title "to be made" unless he, or some elector residing in such town, in his behalf, shall make written application to the registrars,

giving his name, his residence in that town by street and number, if any, otherwise, by school districts, the date when he became or will become twenty-one years of age, the date when he became a resident of this state, the date when he became a resident of the town, and if the applicant was not born a citizen of the United States, the date when he became a resident therein. Either of the registrars may take copies of the application, and they shall preserve the original for use before the board of selectmen and town clerk when sitting for the admission of electors.

§ 1603. Inmates of almshouses in New Haven and Danbury. All electors entitled to vote at any election in the cities or towns of New Haven and Danbury, who are inmates of the almshouse in either of said places, except the paid employees of said municipalities at said almshouse, shall be registered on the list of electors for, and vote as residents of, their last place of registration in said towns prior to becoming inmates of said almshouses.

§ 1604. Sessions of registrars to perfect and revise lists. The said registrars shall be in session for the purpose of perfecting such list on the fourth Monday preceding the day of said electors' meeting, continuously from nine o'clock in the fore-

noon until five o'clock in the afternoon, at some suitable place in their respective districts or towns, of which notice shall be given by publication in a newspaper, if any is published in said town, or by posting upon the signpost therein at least five days before said session. In the cities of Hartford, New Haven, New Britain, Bridgeport, and Meriden, and in the town, city, and center school district of Waterbury, the registrars shall enter the names on the official lists by the street and number of the house, when the houses are numbered, and not alphabetically; so that there shall be entered on the list, first, the street, avenue, road, or alley; second, the number of the house or residence in numerical order, and third, the resident electors in such house or residence in their alphabetical order; and those electors, if any, who cannot be so registered shall be registered alphabetically. Except in said cities the names on said lists shall be arranged alphabetically. The said lists shall be completed, certified to by the respective registrars, and deposited in the town clerk's office at least twenty days before said electors' meeting, for public inspection; and a certified copy of the list for each district, where there are voting districts, shall, on the same day, be posted by them at the place in such district where the registrars meet; and in towns where there are no voting districts, a copy of said list

shall be posted in such places as may have been designated in a town meeting. Each registrar shall keep a copy of said list for his use in revision. They shall give notice in said lists of the times and places at which they will hold one or more sessions within the next twelve days for the revision and correction of said list, and shall also give notice of such times and places by publication in a newspaper in said town or by posting the same on the signpost therein at least five days before the first of said sessions. The number of sessions shall be fixed by the selectmen of each town.

§ 1605. Lists in towns of less than ten thousand. The registrars of voters in each town having a population of less than ten thousand shall, on Thursday of the third week before the annual town meetings held in their respective towns in the year 1902, and biennially thereafter, hold a meeting at some place within their respective towns and voting districts from nine o'clock in the forenoon until five o'clock in the afternoon, of which notice shall be given in the manner provided in section 1604, at which meeting they shall place on a list, under the title "to be made," the names of those persons by whom or in whose behalf a claim is made to either registrar in the manner provided in section 1602 that they will be entitled to be made electors in

such town before the day of such annual town meeting. Such lists shall be prepared in the manner provided in sections 1602 and 1604; and in towns having more than five thousand inhabitants no person shall be registered on the list "to be made" unless a written application is made in the manner provided in section 1602. A copy of such list shall be put upon the public signposts in each town and another copy shall be filed by the registrars with the town clerk of the town. The registrars shall also add to the list of electors the names of those persons who have formerly been admitted or registered as electors in their respective towns, and who have resided in this state the one year and in the town the six months next preceding such annual town meeting.

§ 1606. Ansonia electors. The registrars of voters of the town of Ansonia shall, on Thursday of the third week before the city meeting of the city of Ansonia, held in the year 1903, and biennially thereafter, hold a meeting at some place within said town from nine o'clock in the forenoon until five o'clock in the afternoon, of which notice shall be given in the manner provided in section 1604, at which meeting they shall place on a list under the title "to be made" the names of those persons by whom or in whose behalf a claim is made

to either registrar in the manner provided in section 1602 that they will be entitled to be made electors in such town before the day of such city meeting. Such lists shall be prepared in the manner provided in sections 1602 and 1604, and no person shall be registered on the list "to be made" unless a written application is made in the manner provided in section 1602. A copy of such lists shall be put upon the public signposts, and another copy shall be filed by the registrars with the town clerk of the town. The registrars shall also add to the list of electors the names of those persons who have formerly been admitted or registered as electors in said town, and who have resided in this state the one year and in the town the six months next preceding said city meeting.

§ 1607. Lists in cities to be printed. The registrars in every town having a city within its limits shall circulate printed copies of such lists in their respective voting districts.

§ 1608. Record of applicants. The registrars of voters shall keep in permanent form a record of all persons who shall apply at any session of the selectmen and town clerk for admission as voters, showing the name, residence, age, place of birth, and occupation of the applicant, and such

record shall be filed in the office of the town clerk.

§ 1609. **Clerks to certify names of male convicts to selectmen.** The clerk of every court of this state having criminal jurisdiction shall, annually, between the tenth and twentieth days of October, make a list of all male persons who, during the year preceding said tenth day of October, have been convicted in said court of any crime for which the privileges of an elector are forfeited, and shall annually furnish, before the twenty-first day of October, to the selectmen of the towns in which such convicted persons resided at the time of their conviction, a list of their names, with the date of their conviction and the crimes of which such persons have been convicted, and the selectmen and registrars of such towns shall compare the same with the lists of voters then upon their registry lists, and, after due notice to the persons named, shall erase such names from the registry lists in their respective towns or voting districts; and any person who shall procure himself or another to be registered after having been disfranchised by conviction of crime, and any person who shall vote at any electors' meeting after having forfeited his privileges by conviction of crime, shall be fined not more than five hundred dollars and imprisoned not more than one year in the county jail. The provisions of

this section shall not apply in the case of persons whose forfeited electoral privileges have been restored by the general assembly.

§ 1610. Correction of registry lists.

The registrars shall meet at the times and places by them designated in the notice given pursuant to section 1604, for the correction of the lists, and any elector of such town may apply to them to add any name to said list, or to erase any name thereon, and if he shall have, at least twenty-four hours before the time of any such meeting, signed and filed with each registrar a written claim for such addition or erasure, stating the reasons therefor, they shall at such meeting take such testimony under oath as may be offered regarding such claim; but the name of no person shall be erased from said list, unless written notice of a claim for such erasure shall have been left at his registered place of residence, or personal notice given him, at least twenty-four hours before one of said sessions; and the name of no person whose right is contested as aforesaid shall be entered or retained on the corrected list without the consent of both registrars.

§ 1611. Appeals from decisions of registrars. If any registrar shall refuse to enter on the list the name of any person claiming to be entitled to registration there-

on, or to allow a name entered on the first list to remain thereon, any elector of such town, or the person whose right is brought in question, may appeal from the decision of such registrar (upon giving notice to him) to the selectmen and town clerk of said town, who shall give reasonable notice to the registrars of the time and place of hearing such appeal, when they may be present; and said selectmen and town clerk shall require the testimony, under oath, of at least one other elector to the qualifications of the person in dispute, and shall receive the testimony, under oath, of such persons as the registrars may offer touching such qualifications; and if, after such hearing by them, said selectmen and town clerk shall declare that the person whose qualifications are in dispute is entitled to such registration, he shall be registered, otherwise not; but said selectmen and town clerk shall not hear any application not passed upon by the registrars, nor any appeal of which notice has not been given as aforesaid; nor shall they hear or act upon any appeal from the decision of registrars, under the provisions of this section, until after a full compliance with all the requirements and conditions thereof and of section 1610; and none of said conditions shall be waived by said registrars or by the person making the appeal, or by the person in whose behalf the appeal is made.

§ 1612. Corrected list in town clerk's office. The said registrars shall, on or before the Wednesday preceding said electors' meeting, deposit in the town clerk's office the corrected list, arranged as provided by this chapter, and certified by them to be correct, and shall retain a sufficient number of copies to be used by them at said meeting for the purpose of checking the names of those who vote. They shall place on said corrected list, in the order provided in section 1604, those electors who have been admitted by the board for the admission of electors; and, under the title "to be made," those only on the first list whose qualifications of age or residence, either for admission or naturalization, appear not to have matured at the last session of said board. Said list, deposited in the town clerk's office, shall be carefully preserved in said office, for public inspection, and any elector may take copies thereof.

§ 1613. Clerical errors; corrected list. If it appears at any electors' meeting in any town that the name of an elector, who was formerly admitted or registered as an elector in such town, and who has resided in this state the one year, and in the town the six months next preceding such meeting, has been omitted from the corrected list by clerical error, such name may be added to the list, and the registrars may,

upon the application of any elector, add such name to said list; *provided*, that they shall not restore any name to the list on election day which has been passed upon by the registrars at any one of the meetings previously held for the correction of the list; *and provided*, that no name shall be added to the list on election day, under the authority conferred by this section, without the consent of both registrars; and *provided further*, that the name of no elector shall be added to the corrected list of electors under the provisions of this section, unless his name or some name intended for his name shall have been on the corrected list for the year previous, or on one of the preliminary lists for the year in which the registrars are in session.

§ 1614. As amended by Chap. 105, Pub. Acts, 1905. **Hartford, Bridgeport and New Britain; town meetings; registration.** The registrars of voters for the town of Hartford shall, on the Thursday of the third week before the annual meeting held in said town on the first Monday of April, 1904, and biennially thereafter, and the registrars of voters for the town of Bridgeport shall, at least twenty days before the annual meeting held in said town on the Tuesday after the first Monday of November, 1903, and biennially thereafter, and the registrars of voters for the town

of New Britain shall, on Thursday of the third week before the annual meeting held in said town on the first Monday of October, 1905, and biennially thereafter, complete a correct list of all electors in their said towns who will be entitled to vote therein at such meeting, and shall hold a meeting at some place within their towns and the voting districts therein, at which meeting they shall place on a list, under the title "to be made," the names of those by whom or in whose behalf a claim is made to either registrar, in the manner provided in section 1602, that they will be entitled to be made electors before the day of such annual town meeting. Such lists shall be prepared in the manner provided in chapter 103 of the general statutes, and no person shall be registered on the list "to be made" unless a written application is made in the manner provided in section 1602. A copy of their said list certified by them to be correct shall by the registrars of Hartford be put upon the public signpost in said town, and a like copy filed with the town clerk of said town, and a copy of their said list certified by them to be correct shall by said registrars of Bridgeport be put upon the public signpost in Bridgeport, and a like copy shall be filed with the town clerk of Bridgeport, and a copy of their said list certified by them to be correct shall by said registrars of New

Britain be filed with the town clerk of New Britain. Such registrars shall, before filing said lists, add thereto the names of those persons who have formerly been admitted or registered as electors in their towns, and who have resided in this state the one year and in such town the six months next preceding such annual town meeting. And in the year 1906, and biennially thereafter, the registrars of the town of New Britain shall, five days prior to the first Monday of October, remove from said list the names of all persons who have died, removed from the town, or been disfranchised since said list was prepared, and shall correct the residences of those persons who, since said list was prepared, have moved from one voting district into another, and shall add thereto the names of those persons who have formerly been admitted or registered as electors in said town of New Britain.

§ 1615. Registration for town elections in towns generally. The registrars of voters for the towns other than Bridgeport and Hartford shall, on Thursday of the third week before the annual town meetings held in their respective towns in the year 1903, and biennially thereafter, hold a meeting at some place within their respective towns and voting

districts, from nine o'clock in the forenoon until five o'clock in the afternoon, of which notice shall be given in the manner provided in section 1604, at which meeting they shall place on a list under the title "to be made," the names of those persons by whom or in whose behalf a claim is made to either registrar, in the manner provided in section 1602, that they will be entitled to be made electors in such town before the day of such annual town meeting. Such lists shall be prepared in the manner provided in this chapter; and in towns having more than five thousand inhabitants, no person shall be registered on the list "to be made" unless a written application is made in the manner provided in section 1602. A copy of such list shall be put upon the public signposts in each town, and another copy shall be filed by the registrars with the town clerk of the town. The registrars shall also add to the list of electors the names of those persons who have formerly been admitted or registered as electors in their respective towns, and who have resided in this state the one year, and in the town the six months next preceding such annual town meeting.

§ 1616. Separate list of women "to be made." The registrars of every town shall also enter upon a separate list under the

title "women's list, to be made," the names of those women by whom or in whose behalf the claim is made to either registrar that they will be entitled to vote for school officers and on questions relating to education or to schools, and all applications "to be made" in favor of women, shall be at the same times and in the same form and set forth the same information as applications for men to be made electors, and such claims and applications shall be received by said registrars and heard and determined by the town clerk and selectmen at the same time that claims and applications by men to be made electors are received, heard, and determined.

§ 1617. **Population; census.** For the purposes of all statutes relating to the registration and admission of electors the population of each town shall be determined by the last completed census of the United States.

§ 1618. **Compensation of registrars.** The registrars of voters, deputy-registrars, and assistants shall receive for their services, when required by the provisions of chapters 103 and 104, such sum, not less than two dollars a day, as may be allowed by the selectmen, and all expenses incurred in the discharge of their duties shall be

audited by the selectmen and paid by the town, but in no case shall such compensation be regulated by the number of names registered.

§ 1619. **Hours of meetings.** All public meetings of registrars shall be held between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, except as provided in sections 1620 and 1720.

§ 1620. **Meetings for admission of electors, when held; notice.** The selectmen and town clerk of every town shall hold a session to examine the qualifications of electors, and admit to the elector's oath those who shall be found qualified, on Friday of the third week before any electors' meeting, from nine o'clock in the forenoon until eight o'clock in the afternoon in towns which have a population of five thousand or more, and from nine o'clock in the forenoon until five o'clock in the afternoon in all other towns, and may publicly adjourn said meeting from time to time, if necessary, until Friday of the following week; and unless all entered on the first list as "to be made," whose rights shall appear to have matured, shall have been admitted or rejected by the selectmen and town clerk of any town before Friday following the Wednesday of

the second week, they shall be in session on said Friday for the said purpose from nine o'clock in the forenoon until eight o'clock in the afternoon, and not at any time after the hour of eight o'clock in the afternoon on said Friday, except, that if it appears that the rights of any person on the first list under the title "to be made," will mature after said Friday, and on or before the day of said electors' meeting, they shall meet on the day before said electors' meeting from nine o'clock in the forenoon until five o'clock in the afternoon, and not afterwards, for the purpose of admitting such persons, and for no other purpose. They shall not have power to admit to the elector's oath on said day before the electors' meeting any applicant whose qualification of age or residence matured on or before the Friday of the second week preceding said Monday, or who might have been naturalized on or before said day. The registrars shall write the names of those electors admitted on said day on the proper list, with their residence by street and number, if any, before twelve o'clock in the evening of said day before the electors' meeting. The selectmen and town clerk shall give notice of the times and places of their meetings by publication in a newspaper published in their town, if any, and by posting the same on the signpost of said town at

least three days before such meeting, but they shall not be in session in any town for the purpose of admitting electors, except upon the days prescribed by law, and they shall not sit as a board for the admission of electors after eight o'clock in the afternoon.

§ 1621. When meeting may close at five o'clock. Any meeting for the admission of electors may be closed at five o'clock in the afternoon in any town having less than five hundred registered voters, whenever such town at its annual meeting or at a special meeting, duly warned, shall have authorized such closing.

§ 1622. Admission of electors. The said board of selectmen and town clerk shall not admit to the privileges of an elector, or to an examination, any person, unless he shall have been registered on the first list under the title "to be made." Every person who shall present himself for examination shall be first sworn touching his right to be made an elector, and he shall, under oath, state how long he has continuously resided in this state and in such town, whether he is an alien, or native born, and when he became twenty-one years of age, and before his admission he shall read at least three lines of the con-

stitution or of the statutes of this state, other than the title or enacting clause, in such manner as to show that he is not prompted, nor reciting from memory; said board shall allow each registrar, if demanded, to select any three lines of the constitution or of the statutes to be read by the applicant. The board may admit any applicant otherwise qualified without reading, who shall have lost his eyesight and who shall prove by any proper record evidence that he has heretofore been admitted an elector of this state. If the applicant be a naturalized citizen, he shall present a copy of the record of his naturalization, under the seal of the court issuing the same, and make oath that he is the identical person named therein, which paper, before said board shall pass upon his other qualifications, shall be indorsed by the word "approved" or "disapproved," as the case may be, with the date of his application and the signature of the clerk of said board. Upon the request of any elector of such town they shall require the applicant to prove his identity, age, and residence, by the testimony of at least one elector under oath. Every person found qualified shall take the oath provided for electors, and shall thereupon be admitted as an elector of this state.

§ 1623. Voting residence of pauper. If any person shall be supported in any town

as a pauper by the payment to such town of any weekly or other regular sum of money from any other town, his legal residence for purposes of registration or admission as an elector shall be in the town to which he is chargeable.

§ 1624. **List of electors admitted.** The said board shall deliver to the town clerk of the town a certified list in writing of all persons admitted as electors at either of said meetings, which shall be *prima facie* evidence that each person named therein possesses the requisite qualifications for an elector, and the names of all persons so admitted shall be recorded in the records of such town; those applicants admitted on the day preceding election shall deliver to the registrars a certificate of such admission, and the registrars shall write the word "admitted" opposite the name before the applicant shall vote.

§ 1625. **Hartford and Bridgeport; admission of electors.** The selectmen and town clerk of the town of Hartford shall hold a session to examine the qualifications of electors, and admit to the elector's oath those who shall be found qualified, on Wednesday and Thursday of the second week before the annual town meeting held in said town in 1904, and biennially thereafter, from nine o'clock in the forenoon

until seven o'clock in the afternoon of each of said days; and the selectmen and town clerk of the town of Bridgeport shall hold a session to examine the qualifications of electors and to admit to the elector's oath those who shall be qualified, on Saturday of the second week before the Tuesday after the first Monday of November, 1903, and biennially thereafter, from nine o'clock in the forenoon until seven o'clock in the afternoon, and may adjourn such session to the following Monday for the same purpose. They shall not have power to admit to the elector's oath on said days any person whose name is not on the list "to be made," as provided in section 1614, and such lists, with the names added, shall be the registry lists of said towns. Notice of said meetings shall be given in the manner provided in section 1620.

§ 1626. Meetings before annual town meetings. The selectmen and town clerk of every town, other than Bridgeport and Hartford, shall hold a session to examine the qualifications of electors and admit to the elector's oath those who shall be found qualified, on Saturday of the second week before the annual town meetings held in any town in 1903, and biennially thereafter, from nine o'clock in the forenoon until seven o'clock in the afternoon, unless all on the list "to be made" have been ad-

mitted or rejected before that time; notice of such meeting shall be given in the manner provided in section 1620. They shall not have power to admit to the elector's oath on said day any person whose name is not on the list "to be made," as provided in section 1615. The registrars shall add to the lists prepared for the last preceding electors' meetings in their several towns the names of those persons who are admitted electors under the provisions of this section and sections 1620 and 1625, and such lists, with the names added as herein provided, shall be the registry lists which shall be used at the annual town meetings held in the several towns in the year 1903 and biennially thereafter.

§ 1627. Meetings in towns of less than ten thousand. The selectmen and town clerk of every town containing less than ten thousand inhabitants shall hold a session to examine the qualifications of the electors and admit to the elector's oath those who shall be found qualified on Saturday of the second week before the annual town meeting held in any such town in the year 1902, and biennially thereafter, from nine o'clock in the forenoon until seven o'clock in the afternoon, unless all on the list "to be made" shall have been admitted or rejected before that time. Notice of such meeting shall be given in the manner provided in

section 1620. No person whose name is not on the list "to be made" shall be admitted to the elector's oath. The names of those admitted shall be added to and become part of the registry list of such town in the same manner as provided in section 1626.

• § 1628. **Ansonia electors.** The selectmen and town clerk of the town of Ansonia shall hold a session to examine the qualifications of electors and admit to the elector's oath those who shall be found qualified, on Saturday of the second week before the city meeting held on the first Tuesday after the first Monday of November, 1903, and biennially thereafter, from nine o'clock in the forenoon until seven o'clock in the afternoon, unless all on the list "to be made" have been admitted or rejected before that time; and notice of such meeting shall be given in the manner provided in section 1620. No person whose name is not on the list "to be made" shall be admitted. The names of those admitted shall be added to and become part of the official registry list.

§ 1629. **Women voters.** Every woman who shall have attained the age of twenty-one years, who shall be a citizen of this state or of the United States, and who will have resided in the state one year and

in the town six months, and can read the English language, shall, after having been duly admitted, have the right to vote for any officer of schools and upon any question relating to education or to schools.

§ 1630. **Women to qualify; lists; penalty.** The board of selectmen and town clerk shall at any meeting held by them for the admission of electors, examine the qualifications of those women by whom or in whose behalf application has been made to be admitted as voters for school officers and upon any question relating to education or to schools, and whose names appear on the "women's list—to be made," and shall cause the person in whose favor such application is made to testify under oath to her qualifications to be made such voter, and shall deliver to the town clerk a certified list in writing of all women who are found to possess the requisite qualifications to be made such voters, which said list shall be kept by said town clerk as an official list; and the registrars may restore to said list the name of any woman, subject to the same restrictions and conditions as apply to restoration of names to the list of electors. Every woman who shall testify falsely as to her qualifications to be made a voter, or knowingly vote illegally at any town, school, or district meeting, shall be fined not more than fifty dollars or imprisoned not more than thirty days.

§ 1631. **Separate voting lists.** Whenever registry lists shall be used by those voting in school district meetings, the registrars of voters of the town in which such districts are situated, shall prepare separate lists of the names of those women residing in such school districts, or the voting districts of any such school districts, that have been admitted as voters.

§ 1632. **Ballots; how furnished; form.** All ballots used at elections held on the Tuesday after the first Monday in November, and at all regular town, city, and borough elections, and at all special electors' meetings held for the purpose of electing officers voted for at such elections, shall be printed on plain white paper, furnished by the secretary of state, as hereinafter provided. Such ballots shall be of uniform color, quality, and thickness for each ballot of the same class, to be determined by the secretary. In addition to the official indorsement the ballot shall contain only the names of the candidates, the titles of the officers to be voted for, and the name of the political party issuing the same, which shall be printed thereon as "republican," "democratic," or "prohibition," as the case may be, or in the briefest practicable form for any other party than either of those, and without the word "party," and without any such word as "for" or "the," or

any other word before or after the name of the party; and where electors of president and vice-president are to be voted for, the title printed over the names of the candidates therefor shall read, "electors of president and vice-president"; and where a representative at large in congress is to be voted for, the title printed over the name of the candidate therefor shall read, "representative at large," and shall be placed on the ballot next before, "representative in congress"; and where a district representative in congress is to be voted for, the title of that office shall read, "representative in congress"; and where state officers are to be voted for, the title of those officers shall read, "governor," "lieutenant-governor," "secretary," "treasurer," "comptroller," and "attorney-general," respectively; and where other officers are to be voted for, the titles of the officers shall be described as they are respectively described in the constitution of Connecticut or if not therein mentioned then their titles shall be described as they are described in the statutes which created them, respectively. The name of the party issuing the ballot, the title of the officer voted for, and the names of the candidates shall be printed straight across the face of the ballots in black ink, and in type of uniform size and style, except that the name of the party issuing the ballot shall be in larger

type than that used for printing the titles of the officers and the names of the candidates, the size and style of which shall be the same on all ballots, and shall be prescribed by the secretary of state not less than thirty nor more than sixty days before any election held under these provisions. Whenever paper shall be furnished to any party as herein provided, the secretary shall deliver, with such paper, printed instructions prescribing the size of type to be used. The secretary shall cause blanks to be prepared, and shall cause to be printed on the back of each blank ballot the words, "official ballot." No person shall print upon any official ballot the name of any person not a candidate of the party whose name is printed at the head of said ballot, nor shall any person give or offer to give any elector a ballot upon which the name of a candidate is pasted over the name of another candidate without informing him that such ballot has been changed. Said secretary shall also prescribe the form and style of ballots on constitutional amendments and for educational purposes.

§ 1633. Ballots; how procured. The secretary shall furnish to such persons as may apply for the same such number of said official blank ballots as may be applied for, upon payment of the cost thereof.

§ 1634. As amended by Chap. 45, Public Acts, 1903. Secretary to furnish envelopes; form; notice to secretary. The secretary shall furnish in packages of not more than fifty envelopes in each package, securely fastened and sealed, with a facsimile of the seal of the state stamped thereon, to the town clerk of each town in the state, and in case of city or borough elections to the city or borough clerk, at least five days before each regular election held under the provisions of this chapter, one hundred and twenty-five envelopes for every one hundred names on the registry list of such town, city, or borough. Said envelopes shall not be less than three inches in width, nor less than five inches in length; and they shall be uniform in color and size, self-sealing, and shall have stamped or printed upon their face a facsimile of the seal of the state, and the date of the election at which such envelopes are to be used above the same, and such envelopes shall not be used at any other election than the election held upon the date so stamped or printed thereon. Whenever any city, borough, or special election is to be held under the provisions hereof, the clerk of the city, borough, or town in which such election is to be held shall, not less than ten days before the date of such election, notify the secretary of the date of such election and

the number of names on the registry list last perfected in such city, borough, or town, and the secretary shall immediately prepare and forward the necessary number of envelopes, with the proper date thereon.

§ 1635. **Duties of town and other clerks.** The town clerk, and, in the case of city or borough elections, the city or borough clerk, in case envelopes are not received from the secretary, as provided in section 1634, at least three days, Sundays not included, prior to the day of election, shall forthwith send a special messenger for said envelopes, and said clerk shall deliver to the envelope booth tenders, at least thirty minutes before the opening of the polls, for any election held under the provisions hereof, in sealed and unbroken packages, the official envelopes as received by him from the secretary as aforesaid. At the close of every such election it shall be the duty of the envelope booth tenders to return to the town, city, or borough clerk all official envelopes remaining in their possession, and all mutilated envelopes which may have been returned to them, together with a statement of the number of envelopes received by them, the number issued, and the number returned; and on or before the expiration of thirty days from the date of the election the town clerk, and, in case of city or borough elec-

tions, the city or borough clerk, shall destroy such mutilated and unused envelopes, and make a sworn statement to the secretary of state of the number so destroyed.

§ 1636. Election officers to be sworn.

All election officers shall be duly sworn to the faithful performance of their duties, and the several moderators and registrars may administer such oaths.

§ 1637. Warning of electors' meetings. The town clerk or assistant town clerk of each town, except the towns of Derby and Bridgeport, and in said Derby the mayor of the city of Derby and in said Bridgeport the mayor of the city of Bridgeport, shall warn the electors therein to meet on the Tuesday following the first Monday in November in the year 1902, and biennially thereafter, in Hartford, New Haven, Waterbury, Bridgeport, and Norwalk, at six o'clock, and in all other towns, unless by them otherwise previously ordered, at nine o'clock in the forenoon; which warning shall be given at least five days previous to said meetings by posting notice thereof on the signposts of the town, and in such other places as such town shall have ordered; and such meetings shall be held at the usual place or places of holding elec-

tions in such town, or the voting districts thereof, as the case may be, unless the selectmen, by writing under their hands, shall have designated to such clerk before said notice a different place or places for holding such meetings; and the clerk in every town shall, in the warnings for such electors' meetings, give notice of the time and place in the town, and, in towns divided into voting districts, of the time and place in each district, at which such meetings will be held, and that ballot boxes will be opened at each of said places; and a true and attested copy of said warning, shall, by the person who served the same, be left with the town clerk of his town on or before the day such meeting is to be held; and the town clerk shall record said warning in a book kept for that purpose.

§ 1638. Voting places to be provided. The selectmen of each town, unless by law otherwise specially provided, shall provide a suitable place in the town, and if the town be divided into voting districts, a suitable place in each district, for voting at each electors' meeting, and shall give public notice thereof at least one week before the day of such meeting, but the selectmen of Meriden may provide a suitable place in the town hall building in said town for the electors of the fourth district in said town, for voting at each electors' meeting.

§ 1639. **Selectmen to provide suitable rooms or booths.** The selectmen of each town, unless otherwise specially provided, shall provide a suitable room or rooms or booths for holding all elections specified in this chapter, and all ballot boxes required hereby. The number of rooms or booths shall be one for each one hundred and fifty names on the registry list of the town, except that in towns having fifteen hundred names on said list there shall be one for each two hundred and fifty names. Such rooms or booths shall be supplied with necessary conveniences for electors to arrange their ballots and place them in the envelopes, but shall not contain any ballots or pasters. The interior of the rooms or booths shall be secure from outside observation, and said rooms or booths shall be located in, or connected with, the room where the ballot box shall be stationed. Every ballot box shall have an aperture in its lid, for the purpose of depositing the ballots, and be so constructed that when the voting is completed, the aperture may be closed so that no ballots can afterwards be put into the box without reopening it. Such boxes shall be marked respectively as "general ticket" and "women's ballots," to indicate the vote to be deposited.

§ 1640. **Envelopes and ballot booths; indorsement of envelopes.** The selectmen

of each town, unless otherwise provided by special act, shall provide, at the entrance into the enclosure prescribed by the provisions of section 1639, an envelope booth and a ballot booth at which the voter may obtain ballots of any political party that he may desire. Each booth shall be in charge of two persons not of the same political party, who shall be appointed by the registrars, and who shall deliver to each elector, as he enters the enclosure prescribed by section 1639, one official envelope and no more; but in case any elector shall so deface or injure such envelope as to render it unfit for use, upon returning said envelope to such booth tenders, said tenders shall furnish him with another official envelope. No official envelope shall be delivered to any elector until said envelope shall be indorsed by both of the persons in charge of the envelope booth at the time by writing thereon their respective names. No envelope not so indorsed shall be received by the box tenders, and each box tender, before depositing any envelope in the ballot box, shall observe and see that the same is an official envelope, and that it is sealed, and is indorsed with the names of said envelope booth tenders.

§ 1641. Arrangement of voting place; who admitted; offer of ballot. The ballot

box at all elections held under the provisions of this chapter shall be open for the reception of votes in an enclosure which shall be so arranged that access to it shall be from the room or rooms, booth or booths, in which the electors shall prepare their ballots and place them in the envelopes. The exit from such enclosure shall be into some other enclosure or hall, or into a public street or square, and the partition separating it from the main hall shall not be less than three feet nor more than four feet in height. No person shall be allowed to remain in the enclosure where the ballot box is placed, at any meeting held under the provisions of this chapter, except for the purpose of depositing the envelope which contains his ballots, unless he be a duly appointed moderator, box tender, registrar, checker, or challenger; *provided*, there shall be not more than one challenger for each political party. No person, except those authorized to remain in the enclosure where the ballot box is placed, shall be permitted to enter the same, except for the purpose of depositing a ballot. The moderator may admit into the enclosure where the ballot box is placed any witnesses that may be required in cases of challenge, but only one at a time, and also such peace officers as may be required, but only when actually required to preserve order or enforce any of the pro-

visions hereof. No person shall give or offer to any elector, in any such room or booth, any ballot, paster, or envelope to be used in voting, or place any ballots or pasters in said room or booth for the use of electors, or for any purpose whatsoever.

§ 1642. **Moderators of electors' meetings.** The registrars of voters in the several towns, and in towns where there are different registrars for different voting districts, the registrars of voters in such districts, shall appoint the moderators of the meetings of electors in their respective towns or districts. In case the registrars shall fail to agree in the choice of a moderator, the choice shall be determined between them by lot, and in like manner they shall appoint the moderators to have charge of any vote by ballot in town meetings for the election of officers, and of any vote by ballot in any city meeting or ward meeting for election of officers.

§ 1643. **Box tenders.** At every electors' meeting and at every election of town, city, or ward officers by ballot, the registrars of each town or district, as the case may be, shall appoint a suitable elector residing therein for each ballot box, to be box tender, and one or two others, as may be necessary, to be substitute box tenders for

each box respectively. No person not so appointed shall have charge of any ballot box during the taking of any vote, and no known candidate for any office shall be moderator, or be put in charge of any box in which votes are cast for said office, or take part in the count thereof, except that candidates for registrar of voters may act as counters of votes cast in elections of town officers. Any candidate who shall violate any provision of this section shall be fined not more than five hundred dollars.

§ 1644. **Declaration of result, and returns to secretary.** In the town and city of Hartford, the moderator of the fifth voting district, and in the towns of Enfield and Plymouth, the moderator of the second voting district, and in the towns of Waterbury and New London, the moderator of the third voting district, and in every other town and city divided into voting districts, unless otherwise provided by special statute, the moderator of the first district shall be the presiding officer for the purpose of declaring the result of the ballot of the whole town or city, and of making returns to the secretary of state, and the moderators of the other districts shall be assistant presiding officers and shall make returns of their polls as required by law.

§ 1645. Challenges. Each registrar may appoint one or more challengers in his town or district, one of whom may be present at the offering of any vote; and any such challenger, or any elector, may challenge the right of any person offering to vote, on the ground of want of identity with the person on whose name the vote is offered, or disfranchisement, or discontinuance of his residence since registration, and the moderator shall decide upon the right of the person so challenged to vote.

§ 1646. Ballot boxes, when open; ballots, how offered. The ballot boxes at the electors' meetings shall be open for the reception of votes at the place and from the hour at which said meeting is warned, until five o'clock in the afternoon, when they shall be closed; *provided*, that the ballot boxes may be closed in any voting district at an earlier hour than five, when so authorized by special enactment of the general assembly. The moderators shall place the ballot boxes before said box tenders, in a situation convenient of access by the electors, and publicly call upon the electors to bring in their ballots for such officers as are to be voted for. The voters shall, under the direction of the moderators in their respective towns or districts, lay the envelopes with ballot enclosed, one at a time, on the lids of the respective boxes, when

the box tenders shall, after the voter's name is found and checked on the registry list, and when any challenge of the vote has been decided in his favor, and not before, put it into the box.

§ 1647. Who may vote at electors' and city meetings. At any electors' meeting, and at any city meeting for the election of officers by ballot, those only shall vote who were registered on the revised registry list then last completed according to law, and each shall vote in the district in which he was so registered; *provided, also*, that those persons may vote whose names are restored to the list under the provisions of section 1613 and those whose names are added on the day before the electors' meeting under the provisions of section 1620. Every person so registered shall be permitted to vote, unless he shall have lost his right by removal from the town after such registration, or by conviction of some crime which disfranchises; and every person offering so to vote, and being challenged as to his identity or residence, shall, before he votes, prove his identity with the person on whose name he offers to vote, or his continued residence in such town since the completion of such list, as the case may be, by the testimony, under oath, of at least one other elector.

§ 1648. **Officers on one ballot.** Votes cast for electors of president and vice-president, governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, representative at large, representative in congress, senator, sheriff, and judge of probate, or so many thereof as shall be voted for at one and the same election, shall be on one ballot, which ballot shall be eight inches long by five inches wide. Votes cast for representatives, justices of the peace, town, city, borough, and school officers, or so many thereof as shall be voted for at one and the same election, shall be on one ballot, which ballot shall be six inches long by five and one-half inches wide.

§ 1649. **What ballots in one envelope; when not to be counted.** Each elector may place in the envelope received by him one ballot for electors of president and vice-president, governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, representative at large, representative in congress, senator, sheriff, and judge of probate, or so many thereof as shall be voted for at one and the same election, and one ballot for representative or representatives, as the case may be, justices of the peace, town, city, borough, and school officers, or so many thereof as shall be voted for at one and the same

election, and one vote for the approval or disapproval of any constitutional amendment submitted for ratification at said election, and one vote for or against any educational purpose under the special laws of this state; but no elector shall place any ballot in any envelope when he is outside of one of the rooms or booths provided for by section 1639, and before leaving that room or booth, and before entering the room or enclosure where the ballot box is placed, he shall securely seal the envelope in which he has placed his ballot or ballots. The moderator in charge of any electors' meeting, or the box tender in charge of the ballot box at such elections, if any elector shall attempt to place a ballot or ballots in the envelope outside of said booth, or if any elector shall leave his envelope unsealed, shall direct such elector to return to said booth for the purpose of placing his ballot or ballots in said envelope or sealing the same. If any ballot shall contain a greater number of names for any office than is provided by law, it shall not be counted for any person for such office; any ballot contained in an envelope not properly indorsed shall not be counted. If more than one ballot for the same office or purpose shall be found in any envelope, and such ballots shall be for the same person or purpose, only one shall be counted. And if such ballots shall be

for different persons for the same office, or for and against the same purpose, neither of such ballots shall be counted; votes cast for "representative at large" shall not be counted for a candidate for representative in congress, nor shall votes cast for representative in congress be counted for a candidate for representative at large, but all ballots or votes contained in such envelope, not found double, shall be counted for the persons named thereon, or for the object voted on, and all such double ballots so rejected, whether for the same or different political parties or purposes, shall be returned as rejected for being double ballots. If any envelope or ballot shall contain any mark or device so that the same may be identified in such a manner as to indicate who might have cast the same, the ballot so marked, the ballot with paster so marked, or the ballot contained in any envelope so marked, shall not be counted, but shall be kept by the moderator and returned to the town clerk in a separate package from the ballots which are counted at such election.

§ 1650. Booth tenders' duties; envelopes deposited or returned. The registrars of each town shall designate and appoint two persons to serve during the hours the polls shall be open, who shall have charge of the rooms or booths pro-

vided for by section 1639. Only one elector at a time shall be permitted to enter the same room or booth to prepare his ballot [unless the elector from physical infirmity requires an attendant], and enclose it in an envelope, and it shall be the duty of the person having charge of said rooms or booths to see that the space is vacant before admitting an elector, and no person, while an elector is in said room or booth, shall attempt to ascertain or observe the ballot or ballots placed by such elector in the official envelope, and no elector shall remain in the room or booth while preparing his ballot more than three minutes, and he shall then pass out and into the enclosure where the ballot box is placed, and, under the direction of the moderator, he shall deposit his sealed envelope on the ballot box. After the name of the elector has been duly checked, it shall be the duty of the box tender to deposit the envelope in the ballot box. Every person who has received an official envelope from the official envelope booth tenders, and who, having passed into the enclosure where said ballot boxes are placed, shall fail to deposit the same upon the ballot box as prescribed by law, shall immediately, and before leaving said room, deliver up the same to the moderator; and any person having received an official envelope from said official envelope booth tenders, and who for

any reason shall fail to pass with the same into the room in which said ballot boxes are, shall, immediately and before leaving the room where said envelope booth tenders are, return the same to said envelope booth tenders.

§ 1651. As amended by Chap. 241, Public Acts, 1905. Permitted alteration; void ballots. Any voter may alter or change his ballot by erasing any name thereon, or by inserting in place of any name thereon, in writing or by paster, the name of any person for any office to be voted for thereon, other than the person thereon named for such office, but all pasters shall be printed upon blank paper, of a color other than white, to be designated and furnished by the secretary of the state to such persons as shall apply for the same upon payment of the cost thereof. All ballots cast in violation of the foregoing requirements, shall be void and not counted, but no ballot shall be rejected for being in an unsealed envelope if such envelope shows that an attempt has been made to seal the same.

§ 1652. Interference prohibited. No official, or other person, at any election provided for in this chapter, shall in the enclosure where the ballot box is placed, or in the rooms or booths herein mentioned suggest the name of any political party or

candidate for any office to any elector. No person shall assist or offer to assist any elector in the preparation of his ballot, paster, or envelope to be used in voting, unless requested thereto by the elector because of a physical infirmity necessitating assistance.

§ 1653. Peddling ballots; distance markers. No person shall peddle or offer any ballot or paster to another person within seventy-five feet of the entrance to any polling place on the day of election, except as provided in section 1650. The selectmen shall provide suitable markers to indicate the seventy-five feet distance from such entrance; said markers shall consist of a board resting on an iron rod, said board being not less than twelve inches square and painted a bright color, upon which shall be placed the figures and letters, "75 feet," and the following words:

No person shall peddle or offer any ballot to another person within 75 feet of any entrance to any polling place on the day of election, except the official ballot booth tenders in charge of the official ballots at each polling place.

The moderator and his assistants shall meet at least twenty minutes before the opening of an election in the polling district, and shall cause to be placed by a police officer or constable, or such other

election official as he may select, a suitable number of distance markers. Said moderator or police officer or constable shall prohibit loitering and peddling of tickets within that distance.

§ 1654. Registrars to be present at voting; duties of checkers. Each registrar shall be present during the taking of any vote at any electors' meeting, or annual town meeting or city or borough election in his town or district. The assistants in their respective districts shall, when requested by either registrar, be present at the taking of any such vote, and discharge the duties of registrars. The several registrars shall appoint some proper person to check the list in each district, who shall check the name of each voter thereon, when he offers his vote, and no box tender shall suffer any vote to be deposited in the box until the name is so checked.

§ 1655. Certificate of check lists. Immediately after the polls are closed the official checkers shall make and deliver to the moderator a certificate in duplicate stating the whole number of names on the registry list and the number checked as having voted, and thereupon said registrars, acting at the respective polls, shall write and sign with ink, on the list so used and checked, a certificate of the whole number

of names registered thereon, the number checked as having voted, and the number not checked thereon, and deposit it in the town clerk's office of their town on or before the following day. The town clerk shall carefully preserve the same on file, with the marks on it without alteration, for public inspection, and shall immediately enter a certified copy of such certificates on the town records.

§ 1656. Counters; certificates; declaration of vote. At every election specified in the preceding sections of this chapter, each registrar shall appoint from one to five persons, as may be necessary, for each ballot box in his district or town, who shall make the official count of the ballots in said box. Immediately after the ballot boxes are closed at such meeting, and not before, the counters shall, in public meeting, sort and count the ballots found therein. In case of doubt or dispute as to the reading of a ballot, or whether a ballot should be rejected for any cause, the moderator shall decide. All ballots rejected shall, after being indorsed by the moderator with the cause of rejection, be preserved in a separate parcel, securely tied or sealed, and returned to the box with the valid votes. The official counters at any electors' meeting, immediately after the count is completed, shall, under their hands or

the hands of a majority of them, deliver to the moderator a certificate in duplicate, stating the whole number of envelopes found in the box, and in case more than one box was used, the number found in each box, the number of ballots found in such envelopes, giving, when more than one form of ballot could be voted in one envelope, the number of each kind of ballots, the number of unsealed envelopes, and the number of ballots rejected for that cause, stating the kind of ballots so rejected, if more than one ballot might legally be voted in one envelope, the number of envelopes having identifying marks or devices, and the number and kind of ballots rejected for that cause, the number of envelopes not indorsed by the booth tenders, and the number and kind of ballots rejected for that cause, the number of ballots rejected because in the wrong box, "for being double," for bearing identifying marks or devices, for being unofficial, or for any other cause, and the number of votes counted for each candidate and office respectively. The moderator shall, before adjournment, publicly declare the result of the count.

§ 1657. Official certificates where deposited. The moderator shall forthwith indorse on said certificates, in writing signed by him, that said certificates show the re-

sult of the official count for each box, respectively, in his town or district. One of said certificates he shall place in the ballot box and seal up with the votes cast and returned to that box; the other, in towns not divided into voting districts, shall by the moderator, on or before the following day, be deposited in the office of the town clerk, and, in towns divided into voting districts, shall by the assistant presiding officers forthwith be returned to the presiding officer, who shall, on or before the following day, deposit the same, with his own duplicate certificate, for his district, with the town clerk, who shall carefully preserve the same on file in his office. The presiding officer, after having ascertained the result of the ballots of the whole town, as given in the several districts, shall declare the same in open meeting, at the voting place where he presides, and such meeting shall not be adjourned until such vote is declared.

§ 1658. Deputy or assistant registrars may act. In the absence of either registrar, his deputy or any of his assistants shall have all the powers conferred, and may perform any of the duties imposed upon such registrar, by any of the provisions of this or the preceding chapter.

§ 1659. Return of ballots to box; sealing. All the ballots cast at any electors'

meeting, or at any city or borough election, shall by the moderator, immediately after they are counted, be returned to the box, which shall, in the presence of two or more of the official counters, and before the box has been removed from the enclosure where the ballots have been counted, be, by said moderator, securely sealed and locked, and such official counters as are present shall indorse their initials upon the seals; the box shall thereupon, by said moderator, be deposited in the town clerk's office, and by such clerk be carefully preserved with seal unbroken for six months after such meeting, to be opened and examined only by those officially authorized thereto.

CHAPTER 192.

An Act Concerning the Sealing of Ballot Boxes.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The secretary of the state shall, at the time when he distributes the official envelopes for any regular election, furnish to every town, city, or borough clerk to whom envelopes are so distributed, one adhesive ballot box sealing stamp for each ballot box to be used in such election, which stamp shall be of cloth-lined paper,

and shall not be less than five and one-fourth inches in width by thirty-two inches in length, and upon the face of which shall be printed a facsimile of the seal of state, and the date of the election.

Sec. 2. When the ballots shall have been counted and returned to the ballot box and the box locked as required by law, said ballot box sealing stamp shall be signed by the registrars or deputies of different parties, and by the moderator, and the moderator shall apply said stamp securely to each ballot box so as to effectually seal the opening through which the ballots are deposited and also the key hole of each of said ballot boxes and so that said boxes cannot be opened without breaking the ballot box sealing stamp.

Sec. 3. The clerk of every town, city, or borough in which an election is to be held shall notify the secretary of the state, at the time the notice required by section 1634 of the general statutes is sent by such clerk, the number of ballot boxes to be used in such town, city, or borough in said election.

Sec. 4. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved June 29, 1905.

§ 1660. Judge to preserve ballots intact. Whenever any ballot box is opened under authority of a judge of the superior

court, charged with inquiring into an election, said judge shall see that all the ballots and the accompanying certificates are returned to the box, and that the same is effectually sealed.

§ 1661. Ballot box for women's ballots. At all elections at which women are by law entitled to vote there shall be provided separate ballots containing, in addition to the name of the party issuing the same, only the names of candidates and titles of officers for which women are entitled to vote, and there shall be provided at such elections a separate ballot box, distinctly marked "for women's ballots," in which shall be deposited all ballots cast by women.

§ 1662. Returns by presiding officers. The presiding officer of each electors' meeting in every town not divided into voting districts, and each presiding officer of the first district in all towns divided into voting districts, unless otherwise provided by special statute, except the towns of Hartford, Enfield, Plymouth, New London, and Waterbury, the presiding officer of the fifth district of Hartford, the presiding officer of the second district of Enfield, the presiding officer of the second district of Plymouth, and the presiding officer of the third district of Waterbury and New London, shall

make out triplicate lists of the votes given in their respective towns for each of the following officers, viz.: governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, senator, judge of probate, sheriff, representative at large, and representative in congress, when said officers are to be chosen; also of the votes given for representative or representatives to the general assembly, chosen from such town, two of which lists he shall seal and deposit in the post office in said town, the postage being paid thereon, directed to the secretary of state at Hartford, one within two days, and the other within not less than five nor more than ten days after said meeting; and the third he shall deliver to the clerk of said town within two days after said meeting.

§ 1663. Envelope and ballot returns. The presiding officer of every electors' meeting at which candidates for the office of presidential electors, governor, lieutenant-governor, secretary, treasurer, comptroller, attorney-general, representative at large, representative in congress, senator, sheriff, or judge of probate are voted for, shall make out and return to the secretary of state, with the certificates that he is required to send to said secretary, a full statement as to envelopes and ballots as returned to him by the checkers and count-

ers. The secretary shall enter said returns in tabular form, in books kept by him for that purpose, and present a printed report of the same to the general assembly at its next session.

§ 1664. Removal of officials. If at any time during the performance of his duties any counter, booth tender, box tender, or checker shall, from any cause, be found incompetent, said registrars may remove him and appoint a competent person in his stead.

§ 1665. Forms for returns to be sent to town clerks. The secretary shall transmit to the town clerk of each town, before each biennial electors' meeting, blank forms for the returns required by this chapter, and said returns shall be made out, certified, and directed according to such forms. The secretary shall cause to be printed in the several blanks, for the use of moderators and counters, such names of candidates for the several offices to be voted for as shall be certified to him by the chairmen of the state committees of the several political organizations in the state.

§ 1666. Choice of representatives to the general assembly. In all electors'

meetings held for the purpose of choosing representatives to the general assembly, the presiding officer shall declare chosen the person having the greatest number of votes for that office, and if the town is entitled to two representatives, then he shall declare chosen the two persons having the greatest number of votes for that office.

§ 1667. Representative; tie vote; new election. If the electors of any town shall fail to choose a representative or representatives, by reason of an equality of votes at any electors' meeting, said meeting shall stand adjourned to the following Tuesday at the same hour at which the first meeting was held. Official ballots and envelopes shall be used in the election on said adjourned day, and the election shall be conducted in the same manner as on the first day, except that ballots shall be given for such officer only, and returns shall be made in the manner before provided.

§ 1668. As amended by Chap. 10, Public Acts, 1903. Representative, vacancy, how filled. When any vacancy shall occur in the office of representative from any town on or before the first Tuesday of April succeeding any biennial election, the town clerk or assistant town clerk of such town shall forthwith warn an electors'

meeting for said town for the purpose of electing a representative to fill such vacancy, which meeting shall be warned, organized, and conducted in the same manner as biennial electors' meetings are required to be. The registry list used at such meetings shall be the list last completed.

§ 1669. Canvass of votes; senators, probate judges, sheriffs. The votes for senators, judges of probate, and sheriffs, as returned by the presiding officer, shall be canvassed during the month in which they are cast, by the treasurer, secretary, and comptroller, and they shall declare, except in case of a tie vote, who is elected senator in each senatorial district, judge of probate in each probate district, and sheriff in each county; and the secretary shall, within three days after such declaration, give notice by mail to each person chosen senator, judge of probate, or sheriff, of his election.

§ 1670. State officers; plurality. In the election for governor, lieutenant-governor, secretary, treasurer, comptroller, and attorney-general, the persons receiving the highest number of votes shall be declared elected. If no person has a plurality of the votes for any of said offices, the general assembly shall choose said officer.

§ 1671. Sheriffs, senators, probate judges; plurality. In all elections for sheriffs, senators, and judges of probate, the person having the greatest number of votes shall be declared to be elected.

§ 1672. Certain state offices, vacancy how filled. If the office of secretary, treasurer, or comptroller shall become vacant, the general assembly, if in session when the vacancy occurs, shall fill it; but if the vacancy occurs when the general assembly is not in session, or if the general assembly shall fail to make an appointment to fill the vacancy, it shall be filled by the governor.

§ 1673. Sheriff; how chosen in case of tie. If in any county two or more persons shall have received the greatest and an equal number of votes for sheriff, the secretary, treasurer, and comptroller shall immediately publish such fact, with the names of such persons, in one or more newspapers published in such county; and the next general assembly shall, on or before the second week of its session, choose one of said persons to be sheriff, to hold office during the regular term; but if either of them shall have died, said assembly may choose any elector of such county to be sheriff for said county during said term.

And when there shall be a vacancy in the office of sheriff the governor shall forthwith fill it, until it is filled by the general assembly.

§ 1674. State senator vacancy. When any vacancy shall happen in the office of state senator, the governor shall issue writs of election, directed to those officials whose duty it shall be to call electors' meetings in the several towns in the vacant district, ordering an election to be held therein on a day named to fill such vacancy, and cause them to be conveyed to the sheriff of the county in which said district is located, who shall forthwith transmit them to said officials, who, on receiving said writs, shall warn electors' meetings to be held on the day appointed therein, in the same manner as biennial electors' meetings are warned, which meetings shall be organized, conducted, and proceeded with as biennial electors' meetings; the ballots shall be counted and the vote declared, certified, directed, deposited, returned, and transmitted, in the same manner as at a biennial electors' meeting. The registry lists to be used at such elections shall be the lists then last completed.

§ 1675. Probate judge; vacancy; special election. When there shall be no elec-

tion of judge of probate in any district, by reason of two or more having an equal and the highest number of votes, or when a new probate district shall be created, and no provision made for the election of a judge thereof, or whenever it shall be shown to the governor that a vacancy is about to exist in said office, by reason of the resignation of the incumbent to take effect at a future time or by reason of constitutional limitation, or when there shall be a vacancy in said office, the governor shall issue writs of election directed to those officials whose duty it shall be to call electors' meetings within such district, ordering an election to be held on a day named therein to fill such vacancy or impending vacancy, and transmit the same to the sheriff of the county in which such district is situated, who shall forthwith transmit them to said officials, who, on receiving the same, shall warn electors' meetings to be held on the day appointed in said writs, in the same manner as biennial electors' meetings are warned; and said meetings shall be organized, conducted, and proceeded with as are biennial electors' meetings; and the ballots shall be counted and the vote declared, and returns made, certified, directed, deposited, and transmitted in the same manner as at a biennial electors' meeting.

§ 1676. **Canvass of votes cast at such election.** The secretary, treasurer, and comptroller shall, within thirty days after any such meeting, count and declare the votes so returned, and notice shall be given to the person declared elected, in the same manner as is provided in the election of judges of probate at biennial electors' meetings. The original return of votes, and the canvass, shall, within ten days thereafter, by the secretary be submitted to the governor.

§ 1677. **Election of sheriff or judge of probate, how contested.** After the official declaration of the election of any sheriff or judge of probate, any person claiming to be so elected, but not so declared, may bring his petition to any judge of the superior court, alleging all the facts upon which such claim is founded, which shall be served upon the party against whom such claim is made, at least two days inclusive before the day of return, and shall be made returnable, and returned to such judge on or before the fifth day of December next after such election, and said judge shall thereupon hear and determine said petition, and his decision thereon shall be conclusive. If he shall find and decide that said petitioner was legally elected, he shall indorse such finding and judgment upon said petition, and, on or before the twenty-

second day of said December, transmit the same to the secretary, who shall forthwith notify the petitioner that he is legally elected to said office, and the respondent that, upon the decision of said judge, he is not legally elected; and shall issue to the petitioner a certificate of election, and revoke the certificate issued to the respondent.

§ 1678. Representatives in congress; election of. The electors in each of the towns in this state, at the electors' meetings on the Tuesday after the first Monday of November, 1902, and biennially thereafter, shall bring in their ballots for a representative at large from this state in the congress of the United States. The electors in the several towns in each congressional district, at said electors' meetings shall bring in their ballots for a representative in said congress for such district, who shall reside therein, to represent this state in said congress.

§ 1679. Plurality elects. In all elections of representatives in congress, the person having the greatest number of votes shall be declared to be elected.

§ 1680. Ballots for presidential electors. The electors in the several towns in the state, at the electors' meetings on the

Tuesday next after the first Monday of November, 1904, and quadrennially thereafter, shall bring in their ballots, in the manner provided in this chapter, for electors of president and vice-president of the United States, not exceeding in number the whole number of senators and representatives to which the state shall then be entitled in the congress of the United States.

§ 1681. Ballots how sorted, counted and returned. The ballots shall be sorted, counted, and the result declared, and the returns thereof made, as is provided in respect to biennial electors' meetings. The secretary of state shall, on or before the first Monday of October of the year in which such meetings are held, transmit blank forms to the several town clerks, for the return of the votes; and the lists and returns of the votes shall be made out, certified, and directed according to such forms.

§ 1682. Meeting of presidential electors. The said electors shall meet at the office of the secretary of state at twelve o'clock, noon, on the second Monday of the January succeeding their election, and proceed, as required by the constitution and laws of the United States, to cast their ballots for president and vice-president.

In case any elector should be absent, or there should be a vacancy in the electoral college for any cause, the electors present shall, before proceeding to vote for president and vice-president as provided above, proceed to elect by ballot an elector to fill said vacancy, and the person so chosen shall be an elector of president and vice-president, and perform the duties of such office.

§ 1683. **Correction of errors in election of state officers.** Any elector residing in any town who claims that he is aggrieved by any ruling of the moderator at any election for governor, lieutenant-governor, secretary, treasurer, attorney-general, and comptroller, held in his town, or that there has been a mistake in the count of the votes cast at such election for candidates for said offices, or either of them, at any voting district in his town, may, within three days after such election, bring his complaint to any judge of the superior court, in which he shall set out in a proper form the claimed errors of the moderator or the claimed errors in the count, and such judge of the superior court shall forthwith order a hearing to be had upon said complaint, upon a day not more than five nor less than three days from the making of said order, and shall cause notice of not

less than three nor more than five days to be given to any candidate or candidates whose election may be affected by the decision upon said hearing, and to any other party or parties whom such judge shall deem proper parties thereto, of the time and place for the hearing upon such complaint; and such judge, or in case of his inability, such judge as may be designated by the chief justice of the supreme court of errors, shall, on the day fixed for said hearing and without unnecessary delay, proceed to hear the parties, and, if sufficient reason be shown, he may order any ballot boxes to be opened and a recount of the ballots cast to be made, and he shall thereupon, in case he finds any error in the rulings of the moderator, or any mistake in the count of the said votes, certify the result of his finding or decision to the secretary of state before the first day of the next succeeding December; and said certificate of the said judge of the superior court of his said finding or decision shall be final and conclusive upon all questions relating to errors in the rulings of said moderators and to the correctness of said count, and shall operate to correct the returns of such moderators or presiding officers so as to conform to such finding or decision, unless the same be appealed from as hereinafter provided.

§ 1684. Supreme court of errors; ap-

peals to. If, upon any such hearing by a judge of the superior court, any question of law shall be raised, which any party to the complaint shall claim should be reviewed by the supreme court of errors, such judge, instead of filing the certificate of his finding or decision with the secretary of state, shall transmit the same, including therein such questions of law, together with a proper finding of facts, to the chief justice of the supreme court of errors, who shall thereupon call a special session of said court for the purpose of an immediate hearing upon the questions of law so certified; and a copy of the finding and decision so certified by the judge of the superior court, together with the decision of the supreme court of errors on the questions of law therein certified, shall be duly attested by the clerk of the supreme court of errors, and by him transmitted to the secretary of state on or before the third Monday of the December next succeeding such election; and the finding and decision of the judge of the superior court, together with the decision of the supreme court of errors on the questions of law thus certified, shall be final and conclusive upon all questions relating to errors in the rulings of said moderators and to the correctness of said count, and shall operate to correct the returns of such moderators or presiding of-

ficers so as to conform to such decision of said court.

§ 1685. **Presidential and congressional elections; errors corrected.** Any elector residing in any town, who claims that he is aggrieved by any ruling of the moderator at any election for electors of president and vice-president, and for representative in congress, or either of them, held in his town, or that there has been a mistake in the count of the votes cast at such election for candidates for said electors or representative in congress, or either of them, at any voting district in his town, may, within three days after such election, bring his complaint to any judge of the supreme court of errors, in which he shall set out in a proper form the claimed errors of the moderator, or the claimed errors in the count, and such judge of the supreme court shall forthwith order a hearing to be had upon said complaint, upon a day not more than five nor less than three days from the making of said order, and shall cause notice of not less than three nor more than five days to be given to any candidate or candidates whose election may be affected by the decision upon such hearing, and to any other party or parties whom such judge shall deem proper parties thereto, of the time and place for the hearing upon such complaint; and such judge,

together with two other judges of the supreme court to be designated by the chief justice of said court, or, in case of his inability, by the judge of the supreme court to whom such application is made, shall, on the day fixed for said hearing, and without unnecessary delay, proceed to hear the parties, and, if sufficient reason be shown, they may order any ballot boxes to be opened and a recount of the ballots cast to be made, and they shall thereupon, in case they, or any two of them, find any error in the rulings of the moderator or any mistake in the count of the said votes, certify the result of their finding or decision, or the finding or decision of a majority of them, to the secretary of state before the Monday before the last Wednesday of the month in which such elections are held; and such certificate of said judges, or a majority of them, shall be final and conclusive upon all questions relating to the rulings of said moderators, and to the correctness of said count, and shall operate to correct the returns of such moderators or presiding officers, so as to conform to such finding or decision.

§ 1686. Canvass of votes for state officers. The votes for governor, lieutenant-governor, secretary, treasurer, attorney-general, and comptroller shall be canvassed

by the persons authorized to receive and count the same, during the month of December next after they were cast, but said canvass shall not be completed until after the third Monday of said December; and in making said canvass the votes upon the returns made by the presiding officers shall be counted in conformity to the decision of the judge of the superior court or of the supreme court of errors, as the case may be, and said canvass of said votes shall be made in conformity to such decision, and a fair list of said votes made to conform to the original returns of the said presiding officers, as corrected or affected by the finding or decision of said judge of said court, together with the original returns of the presiding officers, and the certificates of the decision of the judge of the superior court, or the decision of the supreme court of errors, shall, on the first day of the session, be laid before the general assembly, which shall declare who are elected to said offices respectively.

§ 1687. Congressional representation; vacancy how filled. When any vacancy shall happen in the office of representative in congress from any district, or at large, in this state, the governor shall issue writs of election, directed to those officials whose duty it shall be to warn electors'

meetings in the vacant district, or in the state at large, as the case may be, ordering an election to be held, on a day named, to fill such vacancy, and cause them to be conveyed to the sheriffs of the counties composing such district or in case of representative at large to the several sheriffs in the state, who shall forthwith transmit them to said officials, who on receiving said writs, shall warn electors' meetings to be held on the day appointed therein, in the same manner as biennial electors' meetings are warned; which meetings shall be organized, conducted, and proceeded with as biennial electors' meetings, and said ballots shall be counted and the vote declared, certified, directed, deposited, returned, and transmitted, in the same manner as at a biennial electors' meeting.

§ 1688. Canvass of votes; representative in congress. The treasurer, secretary, and comptroller shall, within thirty days after such meetings, subject, however, to the provisions of section 1685, publicly count the votes returned, and declare what person is elected. The original returns of the votes given and returned as aforesaid, and the canvass shall, within ten days after the result is known, be submitted by the secretary to the governor.

§ 1689. Canvass for presidential electors and members of congress. The votes returned as cast for representatives in congress and for electors of president and vice-president of the United States shall be publicly counted by the treasurer, secretary, and comptroller on the last Wednesday of the month in which they were cast, and said votes shall be counted in conformity to any decision rendered by the judges of the supreme court of errors as provided in section 1685, and in accordance with the count so made they shall, on said day, declare what persons are elected as representatives in congress, and they shall also declare the proper number of persons having the greatest number of votes to be electors of president and vice-president of the United States, and, in case of an equal vote for said electors, shall determine by lot, from the persons having such equal number of votes, the person or persons appointed and shall publish the names of the persons appointed said electors in two newspapers published in Hartford, and immediately notify them by mail of their appointment.

§ 1690. Complainant must give bond. The complainant in any complaint or proceeding for the correction of errors of a moderator or for a recount of ballots,

shall give a good and sufficient bond of prosecution for the payment of costs, and the judge or judges hearing such application shall make such order regarding the payment of the costs in said action as may in his or their discretion seem proper, and may render judgment and issue execution therefor.

§ 1691. Suppression of disorder at electors' meetings. The presiding officer of any electors' meeting shall have the same authority and may proceed in the same manner in quelling disorder as the moderators* of town meetings.

§ 1692. Decision of election officers no bar to prosecution. The decision of the board of selectmen and town clerk or of the registrars, or of a moderator, as to a person's right to be admitted to the elector's oath, to registration, or to cast his ballot, shall in no case be a bar to a criminal prosecution for procuring himself to be made an elector, or to be registered, or for voting, without the qualifications required by law.

§ 1693. Discharge of criminal on election day. Any sheriff, deputy sheriff, jailer, or deputy jailer, who has charge of any person confined in jail by any process growing out of a criminal proceeding, who

shall permit such person to leave the jail on the day of any electors' meeting, unless such person is discharged on that day by the operation of a legal discharge from custody, shall be fined not more than one hundred dollars.

CHAPTER 280.

An Act Concerning Corrupt Practices at Elections, Caucuses, and Primaries.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The provisions of this act shall apply to the elections of all officers for whom ballots shall be cast pursuant to the provisions of chapter 104 of the general statutes, as amended, and to the elections of all officers to be voted for by the general assembly, by the board of aldermen or common council of any city, and by the warden and burgesses of any borough, to all caucuses and primary elections preliminary to any such other elections, and to all candidates to be voted for at such elections, caucuses, and primary elections. The term "caucuses and primary elections" shall include: (a) all meetings held to nominate a candidate for office or to elect delegates to a nominating convention; (b) nominating conventions of such delegates; and (c) caucuses of members of the general assembly, of the board of aldermen or

common council of any city, and of the warden and burgesses of any borough. Any person shall be deemed to be a candidate for the office of senator of the United States for whom ten or more votes shall have been cast either at a legislative caucus, or at a regular election by the general assembly.

Sec. 2. The term "political committee" shall include every committee or combination of three or more persons to aid or promote the success or defeat of any political party or principle in any such election, or to aid or take part in the nomination or election of any candidate for public office. The term "treasurer" shall include all persons appointed by any political committee to receive or disburse moneys to aid or promote the success or defeat of any such party, principle, or candidate. The term "political agent" shall include all persons appointed by any candidate before any such election, caucus, or primary election to assist him in his candidacy. No person shall act as any such treasurer or political agent unless, after his appointment and before the election for which he is appointed, a writing designating him as such treasurer or political agent shall be filed with the secretary of the state, except that, in case the duties of such treasurer or political agent shall relate to any town, city, ward, borough, or school district election exclusively, or to any caucus or primary election prelimi-

nary thereto, such writing shall be filed with the town clerk of the town within which such candidate resides instead of with said secretary of the state. Every such writing shall designate the particular period, election, caucus, or primary election during which such treasurership or political agency shall continue. Nothing in this act shall prevent the treasurer or political agent of any organization or candidate from being the treasurer or political agent of any other organization or candidate, and any candidate for public office may designate himself as his own political agent.

Sec. 3. Any person nominated as a candidate for public office may make a voluntary payment of money to any treasurer or political agent; provided, however, that no person other than such a candidate shall, to aid or promote the success or defeat of any political party or principle, or of any candidate for public office, within six months prior to any such election make a contribution of money or property to any person other than to a treasurer or political agent. Nothing contained in this act shall limit or affect the right of any person to expend money for proper legal expenses in maintaining or contesting the results of any such election.

Sec. 4. No person other than a treasurer or political agent shall pay any of the expenses of any election, caucus, or primary election, except that a candidate may pay

his own expenses for postage, telegrams, telephones, stationery, printing, express, and traveling; but the provisions of this section shall not apply to non-partisan election and ante-election expenses paid for out of the public moneys of the state, or of any town, city, or other municipality.

Sec. 5. Subject to the foregoing limitations, it shall be lawful for any treasurer or political agent, in connection with any election, caucus, or primary election, to pay the following expenses: (a) of hiring public halls and music for conventions, public meetings, and public primaries, and for advertising the same by posters or otherwise; (b) of printing and circulating political newspapers, pamphlets, and books; (c) of printing and distributing ballots and pasters; (d) of renting rooms to be used by political committees; (e) of compensating clerks and other persons employed in committee rooms and at the polls; (f) of traveling expenses of political agents, committees, and public speakers; (g) of necessary postage, telegrams, telephones, printing, express, and conveyance charges. No treasurer or political agent shall incur any expense for any purpose not authorized by this section.

Sec. 6. Within fifteen days after any such election, every treasurer and every political agent shall file an itemized sworn statement with the officer with whom his designation was filed as aforesaid, which statement shall include the amount of

money or property in each case received or promised, the name of the person from whom it was received or by whom it was promised, the amount of every expenditure made or liability incurred, the name of the person to whom such expenditure or promise was made, and shall clearly state the purpose for which such money or property was so expended or promised.

Sec. 7. Every candidate for public office, including candidates for the office of senator of the United States, shall, within fifteen days after the election at which he was a candidate, file with the secretary of the state, if a candidate for senator of the United States, representative in congress, or for any state, county, or probate office, state senator, or representative in the general assembly, but with the town clerk of the town in which he resides if he was a candidate for a town, city, ward, borough, or school district office, an itemized, sworn statement setting forth in detail all the moneys contributed, expended, or promised by him to aid and promote his nomination or election, or both, as the case may be, and all existing unfulfilled promises or liabilities remaining uncanceled and in force at the time such statement is made, whether such expenditures, promises, and liabilities were made or incurred before, during, or after such election. If no money or other valuable thing was given, paid, expended, contributed, or promised, and no unfulfilled

liabilities were incurred by a candidate for public office to aid or promote his nomination or election, he shall file a statement to that effect within fifteen days after the election at which he was a candidate. Any candidate who shall fail to file such a statement shall be fined twenty-five dollars for every day on which he is in default, unless he shall be excused by the court. Fifteen days after any such election the secretary of the state or the town clerk, as the case may be, shall notify the proper prosecuting officer of any failure to file such a statement on the part of any candidate, and within ten days thereafter such prosecuting officer shall proceed to prosecute such candidate for such offense.

Sec. 8. All statements filed in accordance with the provisions of this act shall be preserved for fifteen months after the election to which they relate, and shall, during said period, be open to public inspection.

Sec. 9. The secretary of the state shall, at the expense of the state, provide every town clerk with blank forms suitable for such statements.

Sec. 10. No person elected to any office established by the constitution or laws of this state shall receive any salary or emolument for the period during which he shall have failed to file such statement.

Sec. 11. The following persons shall be guilty of corrupt practices and shall be punished in accordance with the provisions of

this act: (a) Every person who shall, directly or indirectly, receive, accept, request, or solicit from any person, committee, association, organization, or corporation any money, gift, advantage, preferment, aid, emolument, or any valuable thing whatsoever, for the purpose of inducing or procuring any person to vote or refrain from voting for or against any person, or for or against any measure at any such election, caucus, or primary election. (b) Every person who, in consideration of any money, gift, advantage, preferment, aid, emolument, or any valuable thing whatsoever, paid, received, accepted, or promised to the advantage of himself or any other person, shall vote or refrain from voting for or against any person, or for or against any measure at any such election, caucus, or primary election. (c) Every person, other than the political committees known as the national, congressional, state, town, city, ward, and borough committees, who shall solicit from any candidate for the office of elector of president and vice-president of the United States, of senator of the United States, of representative in congress, or of any state, county, probate, town, city, ward, borough, or school district office, any money, gift, contribution, emolument, or other valuable thing for the purpose of using the same for the support, assistance, benefit, or expenses of any club, company, or organization, or for the purpose of defraying the

cost or expenses of any political campaign or election. (d) Every person who shall, directly or indirectly, pay, give, contribute, or promise any money or other valuable thing to defray, or towards defraying, the cost or expenses of any campaign or election to any person, committee, company, club, organization, or association other than to a treasurer or a political agent; but this sub-section shall not apply to any expenses for postage, telegrams, telephones, stationery, printing, express, or traveling incurred by any candidate for office or for nomination thereto. (e) Every person who, in order to secure or promote his own nomination or election as a candidate for public office, shall, directly or indirectly, promise to appoint, or promise to secure or assist in securing the appointment, nomination, or election of any other person to any public position, or to any position of honor, trust, or emolument; provided, however, that any person may publicly announce his own choice or purpose in relation to any appointment, nomination, or election in which he may be called to take part, if he shall be nominated for or elected to any public office. (f) Every person who shall, directly or indirectly, by himself or through another person, make a payment or promise of payment to a treasurer or political agent in any other name than his own, and every treasurer or political agent who shall

knowingly receive a payment or promise of payment, or enter or cause the same to be entered in his accounts, in any other name than that of the person by whom such payment or promise of payment is made.

Sec. 12. At any time within thirty days after any such election, any elector or voter at such election, upon giving bonds for prosecution as in civil actions, may present to any judge of the superior court a petition setting forth under oath, upon information or upon personal knowledge, that corrupt practices, contrary to the provisions of any section of this act, were committed at or preliminary to such election, naming the successful candidate as defendant, and praying that the facts alleged may be inquired into. If such judge shall be of the opinion that the interests of public justice require such proceeding, he shall order reasonable notice of such petition to be given the defendant and shall notify the chief justice of the supreme court of errors of such petition. The chief justice shall designate an additional judge to hear such petition in conjunction with the judge to whom the petition was presented, and, in case of the latter's disqualification or inability, the chief justice shall appoint two judges to hear such petition. Such petition shall be tried without a jury, and the petitioner and all candidates at such election shall be entitled to appear and be heard

as parties. In case such petition relates to the election of electors of president and vice-president of the United States, a senator of the United States, a representative in congress or in the general assembly, or of any officer the votes for whom are to be counted by the state treasurer, secretary of the state and comptroller, the trial judges shall have no power to declare any such election to be void, but shall file their joint finding as to whether or not the successful candidate, or his political agent, was so guilty of corrupt practices, with the secretary of the state, together with the transcript of the evidence. In case such petition relates to any other office, the trial judges shall file with the governor their joint decision as to whether or not the successful candidate, or his political agent, was so guilty of corrupt practices, and as to whether or not such election was void as hereinafter provided. If said judges differ as to whether any such candidate, in person or in the person of his political agent, was so guilty, or whether any such election was so void, they shall so certify to the secretary of the state, or to the governor, as the case may be, and they shall also file a transcript of the evidence with such certificate. In case any such joint decision so to be filed with the governor shall decide that any such successful candidate, so petitioned against, was, in person or in the person of

his political agent, so guilty of corrupt practices, such election shall be void, except as hereinafter provided; and in case of any such void election, the governor shall, within ten days after the receipt of such decision, issue a writ for a new election to be held within forty days after the issuance of such writ. If any candidate shall have been so jointly found or decided to have been so guilty, in person, of corrupt practices, he shall be ineligible to election or appointment to any public office for the period of four years; but the mere finding or decision that his political agent was so guilty shall not render him ineligible to office. But where the trial judges or one of them shall decide or certify that any such successful candidate was guilty of corrupt practices only in the person of his agent, and that (a) no corrupt practice was committed by the candidate personally and the offense was committed contrary to his order and without his sanction or connivance; (b) such candidate took all reasonable means for preventing the commission of corrupt practices; (c) the offense was of a trivial, unimportant, and limited character; and (d) in all other respects such election was free from any corrupt practice on the part of such candidate, and of his political agents, then the election of such candidate shall not be void, nor shall the candidate be subject to any ineligibility therefor. Costs may be

taxed as in equity, and the trial judges shall have power to tax double, treble, or quadruple costs against the petitioner if they shall find that the allegations of his petition are materially untrue, and that his petition was brought from vexatious or malicious motives. An appeal may be had on questions of law from any decision relative to the ineligibility to public office of any such candidate, but no appeal shall lie from any decision holding that any such election was or was not void.

Sec. 13. Any state referee, any judge of the superior court, or the judge of any court of common pleas, may, upon the written request of any state's attorney, prosecuting attorney of any criminal court of common pleas, or of the district court of Waterbury, conduct an inquiry as to whether any crime has been committed concerning any matters mentioned in such request, within the jurisdiction of such state's attorney or prosecuting attorney making such request, and shall have power, by subpoena issued by him, to compel the attendance before him of any person as a witness; and such person, having been sworn as a witness, may be examined relative to any matters under investigation as aforesaid. And such referee or judge shall also have power, by subpoena duces tecum, issued by him, to compel the production before him, for examination, of any books or papers of any

kind, or of any other thing which he may require in the conduct of such inquiry. Such referee or judge shall have power, by a *capias* issued by him, to cause any person who shall neglect or refuse to appear before him as a witness, having been duly summoned, to be brought before him; and any person in attendance as a witness who shall refuse to be sworn as a witness, or who, being sworn, shall refuse to answer any proper question propounded to him, and any person who, having been duly summoned, shall neglect or refuse to appear before such referee or judge, may be adjudged guilty of contempt and may, by such referee or judge, be fined not more than twenty-five dollars, or imprisoned not more than thirty days, or both.

Sec. 14. Such referee or judge, in the conduct of any such inquiry, may, in his discretion, employ a competent stenographer to take down the examination of any witness or witnesses, and cause the stenographic notes of such examination to be transcribed and furnished to any proper prosecuting officer having jurisdiction of the subject-matter of such inquiry; and such referee or judge may require the attendance and assistance at any such inquiry and in procuring the attendance of witnesses, of any sheriff, deputy sheriff, state policeman, constable, or police officer, who shall be allowed such compensation

as such referee or judge shall deem reasonable.

Sec. 15. Such referee or judge shall return to the clerk of the superior court of the county wherein such inquiry is held, an account of all expenses incurred in the discharge of his duties, including witness fees, which account said clerk shall submit to the state's attorney for such county, who shall endorse the same, if correct, or such items thereof as are correct, and the sums so endorsed shall be paid by the state on an order therefor by such clerk.

Sec. 16. Every person who shall violate any of the provisions of this act shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both; provided, however, that this section shall not apply to violations of any of the provisions of section eight of this act.

Approved, July 19, 1905.

§ 1699. **Corrupt practices in political meetings.** Every person who shall influence or attempt to influence by force or threat the vote, or by force, threat, bribery, or corrupt means, the speech, of any person in a political primary meeting, caucus, or convention; or shall wilfully and knowingly vote more than once, or cast more than one ballot at a time when he is entitled to vote but once or cast but one ballot; or shall wilfully and fraudulently suppress or des-

troy any vote or ballot properly given or cast, or shall in counting such votes, or ballots wilfully miscount or misrepresent the number thereof; and every presiding or other officer of a political primary meeting, caucus, or convention, who shall wilfully announce the result of a ballot or vote of such meeting, caucus, or convention, untruly and wrongfully, shall be fined not less than twenty-five nor more than one hundred dollars, or imprisoned not less than seven days, nor more than three months, or both.

§ 1700. **Employers' threats.** Every person who shall, at or within sixty days prior to any electors', town, city, borough, or school meeting, attempt to influence the vote of any operative in his employ by threats of withholding employment from him, or by promises of employment, or who shall dismiss any operative from his employment on account of any vote he may have given at any such meeting, shall be fined not less than one hundred dollars, nor more than five hundred dollars, or imprisoned not less than six months, nor more than twelve months, or both.

§ 1701. **Betting on election.** Every person who shall bet on any election, or who shall be a holder of anything staked upon any election, shall be fined not more than one hundred dollars.

§ 1702. **Pool room.** Every person who shall keep a place which is, or is reputed to be, a place resorted to for the purpose of selling pools upon the result of any election, shall be fined not more than five hundred dollars or imprisoned not more than one year, or both.

§ 1703. **Removing marker.** Any person who during an election shall remove, injure, deface, or destroy any distance marker described in section 1653 shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both.

§ 1704. **Failure of official to warn meeting.** Every person whose duty it shall be to warn any electors' meeting, and who shall fail to warn such meeting, as required by law, shall be fined not more than five hundred dollars.

§ 1705. **Delay in counting or declaring vote.** Every moderator of any electors' meeting or voting district, and every person appointed to act as counter, who shall wilfully and without cause delay the counting or declaration of the number of votes cast, shall be fined not less than one hundred nor more than five hundred dollars, or imprisoned not less than six months nor more than one year.

§ 1706. False registration. Every person who, after five o'clock in the afternoon of the last day for registration, shall place on any registration list under the title "to be made" the name of any person shall be fined not more than one hundred dollars, or imprisoned not more than six months.

§ 1707. Unlawful sessions of board. If the board of selectmen and town clerk of any town shall be in session for the purpose of admitting electors, except upon the days prescribed by law, every member of said board who shall be present at any such session and participate in the proceedings thereof shall be fined not more than one hundred dollars, or imprisoned not more than three months.

§ 1708. Fraudulent registration. Every person who shall fraudulently procure himself or another to be registered as an elector shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

§ 1709. Official neglect or fraud. Every person who shall without reasonable cause neglect to perform any of the duties required of him by the laws relating to elections, and for which neglect no other punishment is provided, and every person who shall be guilty of fraud in the per-

formance of any such duty, and every person who shall make any unlawful alteration in any list required by law, shall be fined not more than three hundred dollars, or imprisoned not more than one year, or both. Any official who shall be convicted of fraud in the performance of any duty imposed upon him by any law relating to the registration or admission of electors, or to the conduct of any of the meetings or elections provided for in this chapter, shall be disfranchised.

§ 1710. False name. Every person who shall vote or attempt to vote at any meeting by assuming the name of another who is registered, shall be fined five hundred dollars and be imprisoned one year, and shall be disfranchised.

§ 1711. Influencing elector to refrain from voting. Every person who shall influence or attempt to influence any elector to stay away from any electors', town, city, or borough meeting, shall be fined not more than five hundred dollars and imprisoned not more than one year nor less than three months.

§ 1712. Fraudulent abstraction or intermingling of votes. Every person who shall fraudulently abstract any vote from the ballot box used at any electors', town,

city, or borough meeting, within six months thereafter, or who shall, at such meeting, or within six months thereafter, fraudulently intermingle any vote or votes with the votes legally deposited in any such box, shall be fined not more than five hundred dollars and imprisoned not more than two years in the state prison nor less than six months in the county jail, and shall be disfranchised.

§ 1713. **Fraudulent voting.** Every person not legally qualified, who shall fraudulently vote in any town meeting, or at any electors' meeting in any town in which he is not qualified to vote, and every legally qualified person who shall, at such town or electors' meeting, fraudulently put into the same ballot box more than one vote at the same time for any person for the same office, or who shall fraudulently vote more than once at the same balloting, shall be fined not less than three hundred dollars, nor more than five hundred dollars, and shall be imprisoned not less than one year, nor more than two years, and shall be disfranchised.

§ 1714. **False swearing before registrar, moderator, or board.** Every person who shall, upon oath or affirmation, legally administered, wilfully and corruptly testify or affirm before any registrar or registrars

of voters, moderator of any electors', town, city or borough meeting, or board for the admission of electors, falsely to any material fact concerning the identity, age, residence, or other qualifications of any person whose right to be registered or admitted as an elector, or to vote at any electors', town, city, or borough meeting shall be before such registrar, moderator, or board for the purpose of being passed upon and decided, shall be imprisoned not more than two years, and shall be disfranchised.

§ 1715. **Penalties.** Any person, not expressly authorized thereto, who shall have in his possession any official envelope, and any person who shall have in his possession any forged imitation of any official envelope or official ballot, and any person who shall offer to any one not authorized or permitted by law to have or receive an official envelope, or who shall aid or knowingly permit such person to obtain possession of an official envelope, and any person who shall offer to or knowingly permit any one to obtain possession of an official envelope for the purpose of using the same for any purpose not prescribed by law, and any person not authorized who shall give or offer to any person an official envelope, and any person who shall offer to another any forged imitation of any official envelope or official ballot, or shall offer to the box

tender for the purpose of voting the same any envelope not an official envelope, and any person who shall offer to any elector while he is in an election booth any ballot or paster, or place any ballot in said booth for the use of any elector or for any purpose, and any person, not by law authorized thereto, who shall receive from another any official envelope, and any person who shall knowingly receive an official envelope from any person not authorized by the provisions of this chapter to offer or give the same, and any person who shall receive an official envelope for the purpose of using the same for any other purpose or purposes than those expressly named by the provisions of this chapter, and any person who shall knowingly receive for the purpose of depositing the same in the ballot box any forged imitation of any official envelope or official ballot, and any box tender who shall knowingly deposit in the ballot box any envelope not an official envelope, and any person who shall imitate any official envelope or official ballot, or who shall print any ballot in any other manner than as prescribed by the secretary of state, or who shall forge the name of any official envelope booth tender upon any envelope, and any person who shall place upon any official ballot or official envelope any mark or device for the purpose of enabling any person to identify the same as having been voted by

any particular person or persons, or who for said purpose shall alter or change any ballot by erasing or removing any name or names therefrom, or by writing any name or names thereon, or by placing any paster or pasters thereon, and any person who shall attempt to ascertain or observe the ballot or ballots placed by any elector in the official envelope while said elector is in said booth, and any person who, having received an official envelope, shall leave said voting place without having either delivered it up to the moderator or returned it to the envelope booth tenders, and any person who shall print, or cause to be printed, upon any official ballot the name of any person not a candidate of the party whose name is printed at the head of said ticket, or shall offer to an elector such a ballot, or shall offer any elector a ballot or paster within seventy-five feet of the entrance to any polling place, and any person who, for the purpose of voting the same or having any other person vote the same, shall place any ballot or ballots in an official envelope excepting in said booth, shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

CHAPTER 181.

An Act Concerning the Printing of Un- official Ballots.

*Be it enacted by the Senate and House of
Representatives in General Assembly
convened:*

Any person who shall print or cause to be printed, or circulate or distribute, or cause to be circulated or distributed at or for use at any meeting or election for which ballots of a prescribed size, style, or form, or ballots printed on official paper are required by law, any ballot for use at such meeting or election, or bearing the names of candidates for offices to be voted for at such meeting or election, printed upon any paper other than official paper, or of a size, style, or form other than that prescribed according to law, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both.

Approved, June 29, 1905.

§ 1716. Arrest of accused. Upon the written complaint of any three electors of a town, in which a violation of any law relating to elections shall have occurred, to any justice of the peace of the county in which the offense is committed, sup-

ported by oath or affirmation that the complainants have good reason to believe, and do believe, that the allegations therein contained are true and can be proved, he shall issue a warrant for the arrest of the accused.

§ 1717. How warned and held. City meetings for the election of city officers shall be warned and held in the same manner as electors' meetings, unless otherwise provided.

§ 1718. Who may vote. At any meeting of the city of Hartford, New Haven, Middletown, or Bridgeport, for the election of officers, those only shall vote who were registered on the corrected registry list last before completed; and in all other cities, unless restricted by charter provision, any person entitled to vote at city meetings for such purpose and registered on said list, and those having a legal right to vote at such meetings, and whose names are entered on a copy of said list before voting, may vote therein; and the names of those voting shall be checked on said copy, and said copy so checked shall be kept on file in the office of the city clerk, as in the case of electors' meetings.

§ 1719. Preservation of ballots. The ballots cast at any city meeting for the election of officers, shall, after they have

been counted, be returned by the presiding officer to the ballot box, which shall be locked, sealed up, and deposited by him in the office of the town clerk, so that the same cannot be opened without the knowledge of such presiding officer; and the town clerk shall carefully preserve the same, with the seal unbroken, six months after such meeting, to be opened and the ballots examined only by those authorized to make an official examination of them. If such boxes are opened under authority of a judge of the superior court, said judge shall see that all the ballots are returned to the box, and that the same is effectually sealed up again.

CHAPTER 273.

An Act Concerning Political Primaries and Caucuses.

*Be it enacted by the Senate and House of
Representatives in General Assembly
convened:*

Section 1. In every town in which an election is to be held during the month of March, April, May, June, July, or August, the registrars of voters shall annually be in session on the first and second Fridays

of February, and in every town in which an election is to be held during the month of September, October, November, December, January, or February, the registrars of voters shall annually be in session on the first and second Fridays of August, for the purpose of making an enrolment of the legal voters of said towns, and for the purpose of making such changes in the enrolment lists last perfected as are hereinafter provided for. Said registrars may hold sessions at such other times as they may deem necessary; provided, that no sessions shall be held on the day when a caucus or primary shall be held, and all sessions shall be from the hours of twelve o'clock noon until nine o'clock in the evening.

Sec. 2. Notice of all sessions, and of the time and place thereof, shall be given by such registrars by publication at least twice in a newspaper published in, or having a circulation in the town where such sessions are to be held, and by posting notice thereof upon the public signpost in said town, not less than one week before such sessions. In towns, cities, or boroughs divided into voting districts or wards, and in which deputy registrars are now provided by law and appointed for each of said voting districts or wards, said deputy registrars shall be in session in each district or ward, for the purpose of making such enrolment, and such changes and corrections in the enrol-

ment list last perfected as are hereinafter provided for; and the time and place for holding such sessions in such voting districts or wards shall be specified in the notice hereinbefore provided. Within forty-eight hours after the close of each of said sessions each of said deputy registrars shall deliver to the registrar of whom he is the appointee, a true and attested list or lists, as made by him, showing all enrolments and corrections by him made.

Sec. 3. Said registrars at said sessions shall compile separate lists of all qualified electors making application for enrolment according to the declared political preference of said electors. In those towns having cities or boroughs within, and not co-terminous with, their limits, said registrars shall prepare separate lists for use in such cities or boroughs; and when cities or boroughs are divided into wards or voting districts, then for such wards or voting districts. Unless application for erasure or transfer is made, they shall continue thereon the names of all qualified electors appearing upon the lists last perfected; provided, however, that when any elector whose name appears upon said last perfected list has ceased to be a legal voter in the town or, in a town divided into voting districts or wards, when an elector whose name so appears has removed from one voting district or ward to another voting district or

ward in said town, and has forfeited his right to vote in the voting district or ward from which he has so removed, then said registrars may erase such name. In all cases where an erasure is made because of the removal of an elector from one voting district or ward to another voting district or ward in the same town, the registrar or deputy registrar making such erasure shall, within twenty-four hours, report such erasure to the registrar or deputy registrar of the same political party in the voting district or ward to which such elector has removed, and such registrar or deputy registrar shall add such name to the list of those of the same political preference in such district or ward, unless otherwise directed by said elector.

Sec. 4. Within one week after the completion of each enrolment said registrars shall cause a sufficient number of copies of said corrected lists to be made, and shall file twenty-five copies of each with the town clerk, and shall deliver to the chairman of the town committee of each political party casting ten per centum or more of the total vote of the town at the last previous general election, such number of copies as may be necessary to supply the chairman or clerk of each political primary or caucus to be held in such town, city, or borough, as the case may be, before the making of the next corrected enrolment list as herein re-

quired, with one complete set of such lists. The chairman of said town committee shall deliver copies thereof to the chairman or clerk of each caucus or primary meeting. Should there be no chairman of a town committee of any political party coming under the provisions of this act, the town clerk shall furnish the chairman or clerk of each such caucus or primary meeting with the list hereinbefore specified.

Sec. 5. Any elector may make oral or written application for enrolment to either of the registrars of the town in which said elector resides, and shall declare in said application the political party with the caucuses or primaries of which he desires to be affiliated, and his name shall thereupon be entered by said registrars upon the list of those electors of that political preference. In towns, cities, or boroughs divided into voting districts or wards, and for which deputy registrars are provided, application for enrolment shall be made to the deputy registrar in the voting district or ward in which such elector is legally entitled to vote at the time of making said application, and said application shall state the street, and number, if any, of his residence.

Sec. 6. Whenever any person shall have been made a voter after a regular session of the registrars and prior to the election next succeeding such session, such elector, upon application to any registrar having

jurisdiction in the town, voting district, or ward in which said elector is entitled to vote, and upon making a statement of his political preference, shall receive from the registrar to whom the application is made a certificate showing that such elector is entitled to enrolment upon the list of the party named in said application; and upon the presentation of such certificate to the chairman of any caucus or primary held prior to such election, and in which primary or caucus such elector would be legally entitled to participate if regularly enrolled, said certificate shall have the same effect as though said voter had been enrolled on the list of the political party named in said application. Said registrars shall keep a record of all such certificates issued, and at the time of making the next corrected enrolment list shall add the name of any such elector to the party list of those having the same political preference, unless said elector has ceased to be a legal voter in said town, voting district, or ward, as the case may be, or unless otherwise directed by said elector.

Sec. 7. Upon the oral or written application of any elector enrolled as aforesaid, at any session of said registrars, said registrars shall erase the name of the elector making such application from the list on which said name appears, or shall transfer the same from said list to any other party list

kept by said registrars, as said elector shall direct. In towns, cities, or boroughs divided into voting districts or wards, and for which deputy registrars are provided, when an elector shall remove from one ward to another, or from one district to another, said deputy registrars shall, upon oral application or written notice from an elector, at any session of said deputy registrars, transfer the name of such elector from the list on which it appears to such list as the elector shall direct.

Sec. 8. All written or printed applications for enrolment shall be preserved by said registrars, and at the completion of each enrolment said applications shall be arranged in alphabetical order and filed with the town clerk.

Sec. 9. At any caucus or primary meeting of the enrolled voters of a specified party in any town, city, or borough, or in a ward of a city, or in a voting district, said caucus or primary being legally called for the nomination of candidates to be supported at any state, municipal, or town election, or for the election of delegates to any political convention, the chairman of such caucus or primary meeting shall, upon the receipt of a written motion from any person lawfully participating in such caucus or primary, calling for a vote by ballot upon any or all candidates before the caucus, as said motion shall designate, submit

such motion to a rising vote of said caucus or primary; and if twenty-five per centum of the electors present and lawfully voting shall vote in favor of said motion, the nominations specified in said motion shall be made by ballot. Upon the passage of such vote, the presiding officer of said caucus or primary shall appoint two tellers, and before any ballot shall be deposited for the choice of any or all candidates, or any or all delegates to be chosen at said caucus or primary, the name of the elector offering to vote shall be given to the clerk or secretary of said caucus or primary, and said name checked upon the registry list of said caucus or primary.

Sec. 10. Any person unlawfully voting or participating, or attempting to vote or participate in any caucus or primary of a political party other than that of the political party with which he shall have been enrolled, or, in towns divided into wards or voting districts, any elector who shall register or vote at any caucus or primary in a ward or voting district other than the ward or district in which said elector is legally entitled to vote at the time of such caucus, or any elector who shall sign the name of another to a written application to register without the knowledge and consent of the person whose name is signed thereto, or who shall falsely represent the contents of any written or printed form of application

for enrolment with intent to secure the application of an elector for enrolment upon a list other than that of his true political preference, or any registrar or deputy registrar of voters who shall refuse or neglect to hold sessions as provided in this act, or who shall refuse or neglect to register an elector upon the oral or written application of such elector, or who shall refuse or neglect to erase or transfer an elector's name as provided in section seven of this act, or who shall register any elector upon a party list other than that declared by said elector in his application as his political preference, or any chairman of a caucus or primary meeting of the enrolled voters of a specified party, said caucus or primary being legally called for the nomination of candidates to be supported at any state, municipal, or town election, or for the election of delegates to any political convention, who shall refuse or neglect to comply with the requirements of this act, shall be fined not more than one hundred dollars, or imprisoned not more than sixty days, or both.

Sec. 11. The provisions of this act shall not extend to any political party or political organization casting less than ten per centum of the total vote of any town or city at the last previous general election.

Sec. 12. For the duties imposed by this act, every registrar and deputy registrar

actually engaged therein shall receive such reasonable compensation and expenses from the town for which the enrolment is made as shall be approved by the selectmen thereof, and from the city or borough for which the enrolment is made such sums as shall be approved by its common council or warden and burgesses, or, where town and city governments are consolidated, such sums as shall be approved by the common council of such city.

Approved July 19, 1905.

§ 1729. Examination and approval of machines. Any person owning or being interested in any voting machine may apply to the state board of voting machine commissioners to examine such machine and report on its accuracy and efficiency. The commissioners shall examine the machine and their report shall be filed in the office of the secretary of state, and it shall state whether, in their opinion, the kind of machine so examined can be safely used by voters at elections, under the conditions prescribed in this chapter. If the commissioners unanimously report that the machine can be so used, then such machine may be adopted for use at town, city, and borough elections as provided in this chapter. No machine not so approved shall be

used at any election. Each commissioner shall be entitled to one hundred dollars for his compensation and expenses in making the examination and report on each machine, to be paid by the person applying for such examination.

§ 1730. **Requirements of voting machine.** A voting machine approved by the state board of voting machine commissioners must be so constructed as to provide facilities for voting for the candidates of at least seven different parties or organizations. It must be provided with a single straight ticket device for each of said parties, by the use of which a voter may vote for all the candidates of that party, and must permit a voter to vote for any person for any office, whether or not nominated as a candidate by any party or organization, and must permit voting in absolute secrecy. Such machine shall be so constructed that a voter cannot vote for a candidate or on a proposition for whom or on which he is not lawfully entitled to vote. It must be so constructed as to prevent a voter from voting for more than one person for the same office, except where he is lawfully entitled to vote for more than one person for that office, and it must afford him an opportunity to vote for only as many persons for that office as he is by

law entitled to vote for, at the same time preventing his voting for the same person twice. It must be so constructed that all votes cast will be registered or recorded by the machine, and must be provided with a lock by means of which any movement of the voting or registering mechanism is absolutely prevented.

§ 1731. **Municipalities may adopt voting machine.** Any town, city, or borough may adopt and purchase or lease, for use at elections in such town, city, or borough, any kind of voting machine approved by the state board of voting machine commissioners, and thereafter such voting machine may be used at any or all elections held in such town, city, or borough, or in any part thereof, for voting, registering, and counting votes cast at elections for town, city, or borough officers, but at no other elections. Different voting machines may be adopted for different voting districts in the same town, city, or borough.

CHAPTER 207.

An Act Establishing a Board of Voting Machine Commissioners and Defining its Duties.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The governor shall, on or be-

fore July 1, 1903, and biennially thereafter, appoint a state board of voting machine commissioners, to be composed of three persons, to serve for a term of two years from the first day of July, 1903, not more than two of whom shall belong to the same political party and at least two of whom shall be mechanical experts, and whose duties shall be as provided in section 1729 of the general statutes. This act shall not affect the present voting machine commissioners, who shall serve to the end of the term for which they were appointed, but shall apply to all their successors in office.

Sec. 2. The board of selectmen of all towns adopting voting machines shall, as soon as practicable thereafter, provide for each polling place one or more voting machines in complete working order, and shall thereafter preserve and keep them in repair, and shall have the custody thereof when not in use at an election, and shall also have the care and custody of the furniture and equipment of the polling place when not in use at an election. If it shall be impracticable to supply each and every election district with a voting machine at any election following such adoption, as many shall be supplied as it is practicable to procure, and the same may be used in such election district or districts within the city, town, or borough as the selectmen may direct.

Sec. 3. After the adoption and purchase of voting machines, the board of selectmen or other officials having charge of the voting machine or machines shall appoint a suitable mechanic or mechanics to place and adjust such machines and otherwise prepare them for election under the direction of such officials. Such mechanic or mechanics shall be allowed such assistance as may be necessary. Such mechanic or mechanics shall file a written report of the condition of each machine as it is prepared prior to the election, certifying that the machine has been prepared by him or them, that all the counters are set at zero (000), that all the ballot labels are properly placed thereon, that the grouping mechanism has been properly adjusted according to the ballot labels, and that it is otherwise in readiness for the election, giving the number of the machine and the make thereof, and other details of interest and importance, and reporting any defects or features of the machine that need attention or correction. Blanks for such reports shall be furnished by the secretary of the state. Said mechanic or mechanics shall also place upon each of the machines a seal, sealed with sealing wax, in such a way that before any movement of the registering or voting mechanism can be effected such seal will be destroyed or broken. Such seal shall be signed by the mechanic or mechanics.

Written notice shall be given to the chairman of the town committees of the two leading political parties that, on a certain day, at a certain place, a mechanic or mechanics will begin the preparation of the machines for the election, and watchers designated by them may be present during the preparation of such machines, but such watchers shall not interfere with the preparation of the machines, nor assist in the preparation of them. Such notice shall be given at least one day before the work on the preparation of such machines shall begin. The reports of the mechanics shall be filed with the city or town clerk, and shall be kept by him for at least two months after the election for which the machines were so prepared. The mechanic or mechanics shall have custody of the keys of the machines only when they are at work on the machine, and immediately thereafter such keys shall be returned to the city or town clerk. The return of such keys shall, in every case, be made before the day of the election.

Sec. 4. The board of selectmen shall provide for all polling places using voting machines at least two sample ballots which shall be arranged in the form of a diagram showing the entire front of the voting machine, as it will appear after the official ballots are arranged for voting on election day. Such sample ballots shall be open to

public inspection at such polling place during the whole day of election.

Sec. 5. That portion of cardboard, paper, or other material, placed on the front of the machine, containing the names of the candidates, or a statement of a proposed constitutional amendment or other question or proposition to be voted on, shall be known in this act as a ballot label. Each party shall furnish its own ballot labels for the voting machine, and such ballot labels shall be printed in black ink, in plain clear type, on clear white material, and of such size as will fit the machine, according to the form of ballot labels and instructions to be furnished by the town clerk. Such ballot labels shall contain the names of the offices and the names of the candidates, arranged thereon in the order given on the form of ballot label which shall be prepared and furnished by the town clerk. The ballot labels of the various political parties shall be approved and accepted by the town clerk not less than three days prior to the election, and the printing thereof shall be uniform in style with the samples furnished by said town clerk to the various political parties. Four of each of said ballot labels printed on cardboard shall be furnished for each machine to be used in the election; and six additional labels printed on paper shall also be furnished by said political parties for the purpose of

making up the sample ballot diagrams hereinbefore provided for. The names of the political parties shall be arranged on the machine, either in columns or horizontal rows, in the order of size as determined by the number of votes received by each party in the last general election. The name of the political party polling the largest number of votes for the head of the ticket shall come first, and that of the party polling the next largest number of votes for the same office shall come second, and so on. Where two or more candidates are to be elected to an office, the ballot label shall be printed in such manner as to indicate that the voter can vote for any two, or for such other number as he may be lawfully entitled to vote for, out of the whole number of candidates nominated for such office. Each ballot label shall have printed close to the margin thereof, in small type, the name of the town or city where it is to be used, and if it is to be used in only a part thereof it shall also give the name of the largest civil or political division thereof to which it is common. At least four complete sets of ballot labels shall be printed for each machine.

Sec. 6. Suitable ballots for voting split tickets for presidential electors on voting machines shall be printed and furnished for presidential elections by the secretary of the state. Such ballots shall be uniform

for each kind of machine in use throughout the state, and shall be of such size and kind as is best suited to the requirements of the machine in connection with which it is to be used, which size and kind may be determined by the secretary of the state.

Sec. 7. The town clerk shall, in each case, prepare and furnish blanks for a report of an inspection of the machines by the moderator, registrars, and checkers, which inspection shall be made before the opening of the polls; and shall also prepare and furnish to the election officials tally and return blanks containing the names of all candidates for office on the official ballots, in such manner as may be directed by the secretary of the state, except that the secretary of the state shall furnish throughout the state all blanks that are uniform in their printing.

Sec. 8. The city or town officials shall, before the day of election, cause the proper ballot labels to be put upon each machine corresponding with the sample diagrams herein provided for, and the machine in every way to be put in order, and set and adjusted ready for use in voting when delivered at the precinct; and for the purpose of so labeling the machine, putting in order, and setting and adjusting the same, they may employ one or more competent persons as hereinbefore directed, and cause him or them to be paid in the same manner

that other expenses incurred by said officials are paid. And the city or town officials shall cause the machine so labeled, in order, and set and adjusted, to be delivered at the voting precinct, together with all necessary furniture and appliances that go with the same, at the room where the election is to be held in the precinct not later than six o'clock in the afternoon of the day preceding the election. Six candles shall be furnished with each machine to facilitate reading the counters thereof. All machines shall be boxed and collected immediately on the day after election or as soon thereafter as possible, and shall be stored in such place or places as may be directed by the city or town officials. No machine that has been adopted and purchased, while on exhibition before an election, or during an election, shall have its counter compartment opened, but the counter compartment of all voting machines shall be kept closed and locked except for the purpose of canvassing the vote after elections, or when it shall be opened by order of court, or when it may otherwise be necessary to open it to reset the counters or test the machine. The election officials of each polling place shall consist of not more than one moderator, two checkers, two deputy registrars, two challengers, and two voting machine tenders, and, if more than one machine is used in a polling place,

two additional voting machine tenders shall be appointed for each additional machine so used.

Sec. 9. The room in which the election is held shall have a railing separating the part of the room to be occupied by the election officials and the machine from the part of the room adjacent to the entrance thereof. A guard rail may be provided separating the machine from the election officials, and the machine shall be placed, if possible, at least three feet from every wall or partition or guard rail of the polling place, and at least four feet from the checkers' table. The exterior of the voting machine and every part of the polling place shall be in plain view of the election officials. The machine shall be so placed that no person outside of the voting machine booth from any part of the room or from any place outside of the room can see or determine how the voter casts his vote.

Sec. 10. The moderator of each precinct in which a voting machine is to be used shall appear at the office of the city or town clerk not later than noon of the day before election, and there receive from the city or town clerk the sample ballot diagram, three complete sets of ballot labels, and all check lists and other supplies of whatever character necessary to conduct the election in his precinct and make return thereof. He shall also receive the keys for the vot-

ing machine, and receipt therefor, giving the number of the machine to which said keys belong. On the morning of the election, the election officials shall meet at the room where the election is to be held at least forty-five minutes before the time for opening the polls. The moderator shall then cause the three sample ballot diagrams and instruction cards to be posted and everything put in readiness for the commencement of voting at the hour of opening the polls. The election officials, in the presence of the party watchers, shall compare the ballot labels on the machine with the sample ballot diagrams to see that they are correct, and, if the machine is not so labeled, set and adjusted, and in order, they shall immediately label, set and adjust the same, and place it in order, or cause it to be done, examine and see that all the counters in the machine are set at zero (000) and that the machine is otherwise in perfect order, and make written report thereof as hereinbefore directed, and they shall not thereafter permit the counters to be operated or moved except by electors in voting; and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine, and that the machine and its attachments are properly set or adjusted so that the voter will be concealed while in the act of voting. At least two members

of the election officials, of opposite politics, standing at the machine, shall, before the beginning of the election, call off from each counter on the machine, and the checkers shall record on the tally and return sheets provided by the town clerk the figures indicated by the wheels or dials of the counter on such machine. Such tally sheets shall be signed and sworn to by the election officials and shall constitute a record of the actual indication of the counters at the beginning of the election, and such tally sheets shall be filed with the town clerk, with the official returns. These tally and return sheets need not contain the names of the candidates, nor of the parties, nor of the offices voted for. All counters on the machine shall be set at zero (000) at the beginning of the election and the report should so state. If any of the counters are not set at zero and the election officials are not able to set them at zero, the actual number registered or indicated on said counters shall be entered on said tally sheet, and at the end of the election that number shall be deducted from the number then shown on the counter to ascertain the true vote cast for the candidate to whom such counter belongs. The mechanic's seal on the machine shall not be broken until the officials have assembled on the morning of the election. The officials shall examine the seal before breaking it.

Sec. 11. During the entire period of an election, at least one of the election officials, to be designated from time to time by the moderator, shall be stationed beside the entrance to the booth, to regulate the admission of voters thereto, and shall see that it is properly closed after a voter has entered it to vote; he shall also, at such intervals as he may deem proper or necessary, examine the face of the machine to ascertain whether it has been defaced or injured and to detect the wrongdoer and repair the injury. In case any voting machine used in any election district shall, during the time the polls are open, become injured so as to render it inoperative in whole or in part, it shall be the duty of the moderator immediately to give notice thereof to the officials providing such machine, and it shall be the duty of such officials, if possible, to substitute a perfect machine for the injured machine, and, at the close of the polls, the records of both machines shall be taken, and the votes shown on their counters shall be added together in ascertaining and determining the result of the election; but if no other machine can be procured for use at such election and the one injured cannot be repaired in time for further use at such election, the officials of said election may permit the use of unofficial ballots by the voters, which ballots shall be received by the elec-

tion officials and placed by them in a receptacle to be provided therefor and counted with the votes registered on the voting machine and the result declared the same as though there had been no accident to the voting machine; the unofficial ballots thus voted shall be preserved and returned as hereinafter directed with a certificate or statement setting forth how and why the same came to be voted. After the opening of the polls no election official shall allow any person other than the election officials to pass within the railing to the part of the room where the machine is situated, except for the purpose of voting or except as provided in the succeeding sections of this act; and they shall not permit more than one voter at a time to be in such part of the room. They shall not themselves remain or permit any person to remain in any position or near any position that would permit him to see or ascertain how the voter votes or how he has voted. No voter shall remain within the voting machine booth or compartment longer than one minute, and, if he shall refuse to leave it after the lapse of that time, he shall at once be removed by the election officials or upon order of the moderator.

Sec. 12. The voting machine shall be so placed, as far as possible, as to be in view of the public from the time of the be-

ginning of the election, and the election officials shall be so stationed that no member thereof shall be concealed by the machine from the public. The moderator, or some one designated by him, shall be stationed near the machine, shall regulate the admission of the voters thereto, and shall always be in full view of the other election officials, the party watchers, and, as far as possible, of the public.

Sec. 13. When voting machines are used in any precinct, a metal dummy shall be provided at the polling place therein, which dummy shall represent five office lines of the two principal party rows, and shall correspond in all respects to the aforesaid equivalent parts on the keyboard of the voting machine. This dummy shall be suitable for the instruction of voters, so that a voter having voted on the dummy will be able to vote on the machine, and the operation of the dummy shall be the same in outward appearance as the operation of the machine. The election officials shall instruct the voters on the dummy by causing the voters themselves to operate the parts thereof.

Sec. 14. When a voter has entered the election room, he shall announce his name to the checkers in the presence of the election officials, and each of the checkers shall check his name on the check list in his possession. If not challenged

by any member of the election officials, the voter shall then be permitted to pass the railing to the side where the machine is and into the voting booth or compartment, and he shall then register his vote in secret. Having done so he shall immediately pass out and leave the room. Not more than one voter shall be permitted to operate the machine at a time or be within the enclosed space which the voter must occupy while operating the machine. But at least two additional voters, whose next turn it is to vote, shall be permitted in the polling place for the purpose of receiving instruction before voting on the machine. In case any voter, after entering the voting machine booth, shall ask for further instructions concerning the manner of voting, two election officials of opposite political parties shall stand outside the voting machine booth, canopy or curtain, and give such instruction or directions to the voter as the two inspectors may agree upon; but no election official instructing or assisting a voter shall in any manner request, suggest, or seek to influence, persuade, or control any such voter to vote any particular ticket, or for or against any particular candidate or for or against any particular amendment, question or proposition. After receiving such instructions or directions

the voter shall vote as in the case of an unassisted voter.

Sec. 15. If any voter by reason of physical disability is unable to register his vote upon the machine, he may be accompanied into the voting booth by two election officials of opposite parties and there declare his choice of candidates to such officials, who, in his presence and in the presence of each other, shall register his vote upon the machine for the candidate of his choice.

Any election official who shall deceive any elector in registering his vote under this section, or who shall register his vote in any other way than as requested by such person, or who shall give information to any person as to what ticket or for what person or persons such person voted, shall be guilty of a felony, and on conviction shall be imprisoned not more than five years.

Sec. 16. Ballots voted for any person whose name does not appear on the ballot label on the machine as a candidate for office are herein referred to as irregular ballots. Where two or more candidates are to be elected to the same office, the voting devices belonging to all the candidates for said office shall be included in a group herein referred to as a multicandidate group. Except for presidential electors and except in multicandidate groups, where the irregular balloting device re-

quires otherwise, no irregular ballot shall be voted for any person for any office whose name appears on the ballot label on the front of the machine as a candidate for that office. Any irregular ballot so voted shall not be counted. An irregular ballot shall be cast in its appropriate place on the machine or it shall be void and not counted. In voting for presidential electors, an elector may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of the names of persons so in nomination and partially of the names of persons not in nomination, or wholly of names of persons not in nomination by any party. Such irregular ballot shall be deposited, written, or affixed in or upon the receptacle or device provided on the machine for that purpose.

Sec. 17. Immediately on the close of the polls the election officials shall proceed to canvass the returns, and they shall not stop for any purpose until the canvass is completed. The room in which such canvass is made shall be clearly lighted, and such canvass shall be made in plain view of the public. It shall not be lawful for any person or persons, during the canvass, to close, or cause to be closed, the main entrance to the room in which such canvass is conducted in such manner as to prevent ingress or egress thereby. But dur-

ing said canvass no person other than the election officials or party watchers shall be permitted to be on the side of the guard rail where the machine is located.

Sec. 18. As soon as the polls of the election are closed, the moderator, in the presence of the other election officials, shall immediately lock the voting machine against voting, and, without turning said machine around and without otherwise moving said machine more than is necessary to get access to the counters, shall immediately open the counting compartments, giving a full view of all the counter numbers to all the election officials present. The moderator shall, in order of the offices as their titles are arranged on the machine, read and announce in distinct tones the result as shown by the counter numbers, giving the number indicated by each counter, and indicating the candidate to whom such counter belongs, and shall read the votes recorded for each office on the regular ballots. He shall also, in the same manner, announce the vote on each constitutional amendment, proposition, or other question voted on. The vote so announced by the moderator shall be taken down by each checker and recorded on the tally sheets. They shall record the number of votes received for each candidate on the regular ticket and also the number received by each person on the irregular

ticket. Additional instruction for the canvassing, recording, and announcing of the result shall be furnished by the secretary of the state, and the election officials shall be guided thereby.

Sec. 19. The moderator, as soon as the count is completed and fully ascertained as in this act required, shall close and lock the counting compartments; and the machine shall remain locked against voting or being tampered with for a period of twenty days. When irregular ballots have been voted, the moderator shall return all of such ballots in a properly secured sealed package, endorsed "irregular ballots," and indicating thereon the precinct and ward, and file such package with the city or town clerk. It shall be preserved for six months after such election and may be opened and its contents examined only upon an order of a court of competent jurisdiction. At the end of six months, unless ordered otherwise by the court, such package and its contents may be destroyed. Any person, who shall unlock the voting or operating mechanism of the machine or the counting compartment, after they have been locked as above directed, or break or destroy or tamper with the seal after it has been affixed as above directed, or change the indication of the counters on any voting machine within twenty days after the election or within any longer period during which

the machine shall be kept locked, as may be prescribed or ordered by a court of competent jurisdiction in any special case, shall be deemed guilty of a felony. Any machine may be released in less than twenty days for use in another election by order of a court, if there is no disagreement as to the returns from such machine.

Sec. 20. When the machine is locked at the close of an election in the manner required by this act, the moderator shall place all keys of the machine on a strong and sufficient string or wire, label the same with the make and number of the machine and precinct at which used at such election, and return such keys to the city or town clerk with the official returns. The city or town clerk shall securely keep such keys and not permit the same to be taken or any voting machine unlocked, for a period of twenty days from the election, unless otherwise ordered by a court of competent jurisdiction.

Sec. 21. All laws of this state applicable to elections where voting is done otherwise than by machines, and all penalties prescribed for violation of such laws, shall apply to elections and precincts where voting machines are used in so far as they are not in conflict with the provisions of this act. And voting machines may be purchased by boroughs or used in borough elections, in

which case the duties and privileges of the various town and city officials herein specified shall be exercised by the corresponding borough officials.

Sec. 22. Any public officer or any election official upon whom any duty is imposed by this act, who shall wilfully omit or neglect to perform such duties, or shall do any act prohibited herein for which punishment is not otherwise provided herein, shall be fined not more than two thousand dollars, or imprisoned not more than three years, or both.

Sec. 23. Any person not being an election official, who, during any election, or before any election, after a voting machine has had placed upon it the ballot label for such election, shall tamper with such machines, disarrange, deface, injure, or impair the same in any manner, or mutilate, injure, or destroy any ballot label placed thereon or to be placed thereon or any other appliance used in connection with such machine, shall be deemed guilty of a felony and shall be imprisoned for not more than five years.

Sec. 24. Any person who shall knowingly or wilfully make a false affidavit, under any of the provisions of this act, shall be deemed guilty of perjury.

Sec. 25. Any person who shall induce or attempt to induce any elector to write, paste, or otherwise place on an irregular

ballot voted on a voting machine at any election, any name, sign, or device of any kind as a distinguishing mark by which to indicate to another how such elector has voted; or shall enter into or attempt to form any agreement or conspiracy with any person to induce or attempt to induce electors, or any elector, to so place any distinguishing mark on such ballot; or shall attempt to induce any elector to do anything with a view to enabling another person to see or know for what ticket or for what persons, or any of them, such elector votes on such machine; or shall enter into or attempt to form any agreement or conspiracy to induce any elector to do anything for the purpose of enabling another person or persons to see or know what ticket, or for what person or persons, such elector votes; or shall attempt to induce any person to place himself in such position or to do any other thing that will enable him to see or know for what ticket or candidates any elector other than himself votes on such machine; or shall himself attempt to get in such position or do any other thing so that he will be enabled to see or know how any elector other than himself votes on such machine; or shall do or fail to do anything which shall invade or interfere with the secrecy of the voting or cause the same to be invaded or interfered with; shall be deemed guilty of

a felony and shall be imprisoned not more than five years.

Sec. 26. Any election official, who, with intent to cause or permit any voting machine to fail to correctly register all votes cast thereon, tampers with or disarranges such machine in any way or any part or appliance thereof, or who causes said machine to be used or consents to its being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register all votes cast thereon, or who, for the purpose of defrauding or deceiving any voter or of causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or causing it to appear upon said machine that votes cast for one ticket, candidates, or proposition were cast for another ticket, candidate, or proposition, removes, changes, or mutilates any ballot label on said machine or any part thereof, or does any such thing, shall be deemed guilty of a felony and shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Sec. 27. Any election official, who shall, at the close of the polls, purposely cause the vote registered on the machine to be incorrectly taken down as to any candidate or proposition voted on, or who shall knowingly cause to be made or signed any false statement, certificate, or return of any

kind of such vote, or who shall knowingly consent to said things or any of them being done, shall be deemed guilty of a felony and shall be fined not more than one thousand dollars, or imprisoned not more than five years, or both.

Sec. 28. Any person, who, with intent to defraud voters of their votes, or cause voters to lose their votes or any part or parts thereof, shall give in any way or shall print, write, or circulate or shall cause to be written, printed, or circulated any improper, false, misleading, or incorrect instructions or advices or suggestions of how to vote on the machine, the following of which or any part of which would cause any voter or voters to lose their votes or any part thereof, or would cause him or them to fail in whole or in part to register or record the same on the machine for the candidates of his or their choice, shall be deemed guilty of a felony and on conviction thereof shall be imprisoned for not more than five years.

Sec. 29. The board of selectmen of any town, the common council of any city, and the warden and burgesses of any borough, may provide for the experimental use at an election in one or more polling places of a machine approved by the voting machine commissioners, without a formal adoption or purchase thereof; and its use at such election shall be as valid for all purposes as if formally adopted.

Approved June 19, 1903.

§ 1793. Annual and special town meetings. There shall be held in every town, annually, a town meeting for the election of town officers, which meeting shall be designated and known as the annual town meeting and special town meetings may be convened when the selectmen shall deem it necessary, and they shall convene a special town meeting on application of twenty inhabitants qualified to vote in town meetings, within ten days after receiving said application, and town meetings may be adjourned from time to time as the interest of the town may require.

§ 1794. As amended by Chap. 203, Pub. Acts, 1905. Annual meetings when held. The town meetings shall be held in the town of New Haven at the times specially provided by law for the elections of officers of the city and town of New Haven. The annual town meetings shall be held in the town of Hartford on the first Monday* of April, in the towns of Ansonia and Bridgeport on the first Tuesday after the first Monday of November, in the town of Derby on the first Monday of December, and in every other town on the first Monday of October.

§ 1795. Warnings of town, city, borough, and other meetings. The warning

* Tuesday. Special Laws. Vol. XIV—page 663.

of every town meeting, annual or special, and of every meeting of a city, borough, school society, school district, or other public community, or of an ecclesiastical society, or of proprietors of common fields, shall specify the objects for which such meeting is to be held. A printed or written warning of any town meeting, signed by the selectmen, or a majority of them, and set upon the signposts in the town, or printed in a newspaper published in said town, at least five days previous to holding the meeting, including the day that notice is given, but not including the day of holding said meeting, shall be sufficient notice thereof, except in those towns where such warning is directed by special charter provision, to be otherwise given; but any town may, at an annual meeting, designate any other place or places, in addition to the signposts, at which such warnings shall be set up, and the selectmen shall, on or before the day of such meeting, cause a copy of every such warning to be left with the town clerk, who shall record the same.

§ 1796. **Hour of opening annual town and electors' meetings.** Any town except Hartford, New Haven, Bridgeport, Waterbury, and Norwalk may, at any annual town meeting, order that all its annual town meetings or its electors' meetings shall be warned, opened, and held at six o'clock in the morning, or at any hour between six

and nine o'clock in the morning, and that the ballot boxes for all officers to be balloted for at any of said meetings shall be opened at that time, and may rescind any such order at any annual town meeting.

§ 1797. Conduct of meetings. Moderators. All town meetings for the election of town officers by ballot shall be held, conducted, and proceeded with, as far as may be, in the same manner as electors' meetings, unless when it is otherwise provided by law. All towns, when lawfully assembled for any other purpose than the election of town officers, and all societies and other communities when lawfully assembled, shall have power to choose a moderator to preside at said meetings, unless it be by law otherwise specially provided; and all questions arising in such meetings shall be decided by a major vote of the qualified voters present and voting, or, when there shall be an equal vote, by the moderator.

§ 1798. Who may vote for town officers at annual meeting. At any town meeting for the election of town officers in any town, every person may vote who has registered as an elector on the revised registry list of the town then last completed, and who, by virtue of such registration, was

entitled to vote in such town at the electors' meeting then last preceding, unless after such registration he removed from such town or was convicted of a crime by which he forfeited the privileges of an elector; and every person offering so to vote, and being challenged as to his identity or residence, shall, before he votes, prove his identity with the person on whose name he offers to vote, or his continued residence in such town since the completion of said list, as the case may be, by the testimony, under oath, of at least one other elector. And at any town meeting all those male citizens may vote who are of the age of twenty-one years, and who have resided in the state the one year, and in the town the six months, next preceding, and who have been duly admitted as electors in the town, or (unless restricted therefrom by a charter provision), who have a freehold estate not subject to a mortgage, rated, in their own names, in the common list or assessment last before completed, at three hundred dollars, or personal estate so rated in said list at one hundred and fifty dollars.

§ 1799. What women may vote for school officers. Those women whose names appear upon the registry list of women voters shall be entitled to vote in any meeting held for choosing school officers or

upon any matter relating to education or to schools.

§ 1800. As amended by Chap. 128, Pub. Acts, 1905. Assessors and their terms of office. The town of Hartford, at its annual meeting in the year 1904, and triennially thereafter, and every other town except the towns of Bridgeport; New Haven, Norwalk, Waterbury, East Hartford, Essex, Norwich, Middletown, Glastonbury, and Torrington, at its annual meeting, shall elect and cause to be sworn not less than two nor more than five assessors. The assessors elected by the town of Hartford shall hold office for the term of three years, and those elected by the towns of Meriden and New Britain for the term of one year, from the first Monday of June next succeeding their election, and until their successors shall be elected and qualified. In each of the towns of East Hartford, Norwich, Middletown, Glastonbury, and Torrington there shall be three assessors, and in each of said towns one assessor shall be elected at each annual town meeting, who shall hold office for the term of three years and until his successor shall be elected and qualified; the term of said office in East Hartford, Norwich, Glastonbury, and Torrington shall commence on the day of election; and the term of said office in Middletown shall commence on the first

day of May following said election. The assessors elected by every other town shall hold their respective offices for the term of one year from the date of their election and until their successors shall be elected and qualified. No assessor shall act as a member of the board of relief.

§ 1801. Election of town clerks, treasurers. All towns, except as specially provided by law, shall, at their annual town meeting in 1903, and biennially thereafter, elect town clerks who shall hold office for two years from the first Monday of January next succeeding their election, and town treasurers who shall hold office for the term of two years from the date of their election, and until their successors shall be elected and qualified.

§ 1802. Board of relief, selectmen, grand jurors, treasurers, collectors, auditors, constables. Every town shall at its annual town meeting (unless now by special act exempted therefrom) elect a board of relief of not less than two nor more than five members, not less than three nor more than seven selectmen, not less than two nor more than six grand jurors, two auditors, and a collector of town taxes, a treasurer of the town deposit fund and of other trust funds, an agent or agents

of the town deposit fund; and (except the town of Hartford) not more than seven constables. At the annual town meeting in Hartford on the first Monday of April, 1903, and quadrennially thereafter there shall be chosen seven constables, for more than four of whom no person shall vote, who shall hold office for the term of four years beginning on the first Monday of June next following their election. At its annual meeting in 1903 and biennially thereafter the town of Middletown shall elect a collector of town taxes who shall hold office for the term of two years.

§ 1803. As amended by Chaps. 20 and 98, Pub. Acts, 1903, and Chap. 89, Pub. Acts, 1905. Registrars of voters; election and terms of. The town of Hartford, at its annual town meeting in the year 1904, and biennially thereafter, and the town of New Britain, at its annual town meeting in the year 1902, and biennially thereafter, and the town of Norwich, at its annual town meeting in the year 1903, and biennially thereafter, shall elect, by general ticket, registrars of voters, to hold office for two years from the first Monday of January succeeding their election. Every other town, unless otherwise by special act provided, at its annual town meeting shall, in like manner, elect registrars of voters, to hold office for one year from the first Mon-

day of the succeeding January. The registrars shall reside in the towns for which they are elected. In towns divided into voting districts, except the towns of Hartford, New Haven, Waterbury, New London, Norwich, Meriden, Middletown, New Britain, Stamford, Danbury, East Windsor, Enfield, Wallingford, Thompson, Berlin, and Windsor, two registrars of voters shall be elected for each district, and in each of the excepted towns, and in every town not divided into voting districts, two registrars of voters shall be elected for the town at large. No person shall vote for more than one registrar for each voting district, or, as the case may be, for the town at large; and the person having the highest number of votes and the person who has the next highest number of votes, for registrar, who does not belong to the same political party as the first, shall be declared elected registrars of voters for the town or district, as the case may be.

§ 1804. **School visitors.** There shall be elected by every town, at its annual town meeting, such number of school visitors as such town is required by law to elect, and they shall be elected in the manner and for the term or terms by law prescribed.

§ 1805. **Incompatible offices: select-**

man; town clerk; registrar. If any registrar of voters shall be elected to the office of town clerk or selectman and accept the office, he shall thereupon cease to be registrar; and if any town clerk or selectman shall be elected registrar of voters, the election shall be void; and in either of said cases the selectmen shall forthwith appoint another registrar by a writing signed by them and filed with the town clerk; but the person so appointed shall be a member of some other political party than that to which the other registrar belongs.

§ 1806. **Official terms of town officers.** The terms of office of all elective town officers, when not otherwise prescribed, shall be for one year from the date of their election, and the terms of those appointed by the board of selectmen shall expire on the day of the annual town meeting next succeeding their appointment.

§ 1807. **Official terms in certain towns.** All town officers elected annually in Hartford, Bridgeport, and New Haven, whose terms are not specially prescribed, shall hold office as follows: those in Hartford for the term of one year from the first Monday of January following their election, those in Bridgeport for one year from the Monday following their election,

and those in New Haven for one year from the first week day of June following their election.

§ 1808. As amended by Chap. 162, Pub. Acts, 1903. Ballot for and appointment of town officers. Assessors, members of boards of relief, selectmen, town clerks, town treasurers, treasurers of town deposit funds and of other town trust funds, agents of town deposit funds, auditors, grand jurors, collectors of taxes, constables, registrars of voters, high school committees, school visitors, town school committees, and library directors shall be voted for by ballot; but all other town officers provided for by law shall be appointed by the board of selectmen of the several towns respectively. Any town, at a town meeting duly warned for the purpose, may pass votes determining, within the limits by law provided, the number of its officers and prescribing the mode in which they shall be voted for at subsequent meetings, but no alteration of such number shall take effect until after the adjournment of the meeting by which it was adopted.

§ 1809. Plurality of votes to elect. In all elections of town officers a plurality of the votes cast shall be sufficient to elect, unless it is otherwise expressly provided by law.

§ 1810. **Minority representation.** When the number of assessors, or members of the board of relief, or selectmen, or constables, or grand jurors to be elected by any town at its annual meeting shall be two, four, or six, no person shall vote for more than one-half the number; if the number to be elected be three, no person shall vote for more than two; if the number be five, no person shall vote for more than three; if the number be seven, no person shall vote for more than four. That number of persons sufficient to fill the offices of assessors, boards of relief, selectmen, constables, or grand jurors, respectively, who have the highest number of votes shall be elected. In case of a tie, that person whose name stands first or highest on the greatest number of ballots shall be elected.

§ 1811. **Election of auditors.** The auditors shall be voted for on the general ticket, and the two persons having the highest number of votes for the office shall be declared elected; but no person shall vote for more than one auditor.

§ 1812. **First selectman; when town agent.** Of the persons elected selectmen by any town, the person first named on a plurality of the ballots cast for them or any of them shall be first selectman, and,

in the absence of a special appointment, shall be *ex-officio* the agent of such town

§ 1813. Certain offices incompatible. No selectman shall hold office of town clerk, town treasurer, or collector of town taxes of the same town during the same official year; nor shall any town clerk or selectman be elected a registrar of voters; and no registrar of voters shall hold the office of town clerk.

§ 1814. Vacancies how filled. If any town office in any town shall be vacant by the neglect of the town to elect or appoint, or the refusal of any person appointed to act, or by the death or removal of any person appointed, or from any other cause, such town, if such office is an elective office, may in legal town meeting fill the vacancy; but until the town shall fill it, such vacancy may be filled by the selectmen, and the selectmen shall fill all vacancies that may arise in offices to which they have power of appointment.

§ 1815. Ballot boxes. The ballot boxes for the reception of votes for town officers in the several towns at their annual meetings, shall be opened at the time prescribed by law, or by the votes of the respective towns passed in pursuance of law, and shall remain open for that purpose at least five

hours. The selectmen shall provide the ballot box or boxes necessary for use at such meetings and at all meetings for the election of town officers, and the same shall be constructed in the same manner as ballot boxes are required to be constructed for use at electors' meetings.

§ 1816. Ballots to be preserved.

The ballots cast at any town meeting for the election of town officers shall, immediately after they have been counted, be returned by the presiding officer to the ballot box or boxes, which shall be locked, sealed, and deposited by him in the town clerk's office, so that the same cannot be opened without the knowledge of such presiding officer. And the clerk in whose office such box or boxes shall be deposited shall carefully preserve the same, with the seal unbroken, for six months after such meeting, to be opened and the ballots examined by those only who are or may be authorized by law to make an official examination of them. If such boxes are opened under authority of a judge of the superior court, the said judge shall see that all the ballots and the accompanying certificates are returned to the boxes, and that the same are effectually sealed up again.

§ 1817. Power of moderator to sup-

press disorder. The moderator of any town meeting, annual or special, and of any meeting of any society or other community lawfully assembled, may, when any disorder arises in the meeting, and the offender shall refuse to submit to his lawful authority, order any proper officer to take him into custody, and, if necessary, to remove him from such meeting until he shall conform to order, or, if need be, until such meeting shall be closed, and thereupon such officer shall have power to command all necessary assistance, and any person refusing to assist when commanded shall be liable to the same penalties as for refusing to assist sheriffs and constables in the execution of their offices; but no person commanded to assist shall be deprived of his right to act in the meeting, nor shall the offender be so deprived any longer than he refuses to conform to order.

§ 1818. **Return of election of certain officers.** The moderator of any town meeting in any town where a registrar of births, marriages, and deaths shall be elected under special laws, shall, within ten days after such meeting, transmit to the secretary of state, and also to the clerk of the probate court of the district in which such town is situated, a certified return of

the name of said registrar in substance as follows, to wit:

At the annual (or other) town meeting of the town of _____ legally warned and held on the _____ day of _____, A. D. 19—, _____ was chosen registrar of births, marriages, and deaths of said town from the _____ day of _____, A. D. 19—, until the _____ day of _____, A. D. 19—.

Certified by A. B., Moderator.

And when a town clerk shall be chosen at any town meeting in any town, and sworn, a like return shall within ten days be made by the moderator of the meeting to said secretary, and if said clerk is *ex-officio* registrar of births, marriages, and deaths, to the clerk of the probate court of the district in which said town is situated. The said secretary and the said clerk shall each, in a book kept by him for the purpose, record the names of the registrars and town clerks so returned, and may severally certify that the persons named in said records are the registrars of births, marriages, and deaths, or the town clerks, as the case may be, of their respective towns for the period for which they were respectively elected.

§ 1819. Returns by town clerk of election and license vote. The town

clerks of the several towns shall, within ten days after the election of such officers, return to the secretary of state the names of the persons elected to the offices of selectmen, town treasurer, assessors, grand juror, constables, school visitors, or school committee with date of expiration of term, and registrars of voters, also the number of votes for and against license, and if no vote was taken thereon, said return shall state whether the last preceding vote was for license or no license. Every town clerk neglecting to make such return shall be fined not more than twenty-five dollars.

§ 1820. **Oaths of grand jurors and constables to be recorded.** Every person elected to the office of grand juror or constable in any town shall before the commencement of his term of office, or within thirty days thereafter, take the oath of office before some proper officer, who shall certify in writing to that fact and deliver the certificate to the person by whom the oath was taken; and such person shall, without delay, lodge said certificate for record in the office of the town clerk of the town in which he was elected grand juror or constable, and said clerk shall record the same. If any person elected to the office of grand juror or constable shall not comply with the requirements of this section,

his office shall be vacant and may be filled in the manner provided for filling vacancies in town offices.

§ 1821. Assessors, board of relief, and collectors to be sworn. Every person elected or appointed an assessor or a member of the board of relief, or a collector of town taxes in any town, shall, before entering upon the duties of the office to which he has been elected or appointed, be duly sworn.

§ 1822. Penalties for refusing to accept or perform certain duties. Any person elected to the office of assessor and having accepted the same, who shall afterwards refuse to be sworn or to perform the duties of the office, shall be fined thirty dollars; and any person elected to any other town office than that of assessor or town clerk, and accepting the same, or not declaring his refusal to accept, who shall neglect to perform the duties of the office, shall be fined not more than ten dollars; and any person elected to any town office to which he is eligible, who shall refuse to accept the same and take the oath prescribed by law, shall, unless he has reasonable excuse for such refusal, be fined five dollars; and any town clerk who shall neglect to perform the duties of his office, shall be fined not more than fifty dollars. Every

moderator of a town meeting who shall neglect to make any return required by law shall be fined twenty dollars.

§ 1823. As amended by Chap. 135, Pub. Acts, 1905. City and town elections, how contested. Any person claiming to have been elected selectman, clerk, treasurer, collector of taxes, or justice of the peace, assessor, grand juror, constable, registrar of voters, or registrar of births, marriages, and deaths of any town, or mayor, clerk, treasurer, auditor, collector of taxes, alderman, or councilman of any city, but not so declared, may, within sixty days after the time of holding the election, bring his petition to any judge of the superior court, alleging the facts on which such claim is founded, which shall be served upon the party against whom the claim is made at least six days before the return day, and returnable not more than sixty-six days after the day of such election, and such judge shall thereupon hear and determine said petition, and his decision thereon shall be conclusive, and if in favor of the petitioner, his certificate to that effect, under the seal of the court, shall entitle the petitioner to hold and exercise the duties and powers of such office; but this section shall not affect the right of appeal to the supreme court of errors for the revision of questions of law arising

thereon, and it shall not prevent such judge from reserving such questions of law, by consent of all parties, for the advice of said supreme court of errors. And said judge may, if necessary, issue his writ of mandamus, requiring the adverse party and those under him to deliver to the petitioner the appurtenances of such office, and shall cause his finding and decree to be entered on the records of said superior court in the proper county.

§ 1824. Appeal to supreme court of errors; costs. Upon such reservation or appeal said judge shall make the necessary findings, and lodge the same, and the files in such cause, with the clerk of the superior court of the county wherein the petitioner resides, who shall cause the same to be entered upon the docket of the supreme court of errors, to be proceeded with as in other cases, and the same shall be privileged in the order of trial, and final judgment shall be rendered thereon by said judge of the superior court, or in case of his death, absence, or inability, by some other judge of the superior court, as the supreme court of errors shall advise. Said judge may tax costs in favor of the prevailing party, and the clerk of the superior court, with whom said files are lodged, may issue execution therefor.

§ 1825. Patrolmen how appointed,

and their powers. Any town, at a town meeting legally warned and held for that purpose, may authorize its selectmen to appoint such number of patrolmen as it may at said meeting determine upon, who shall have the powers of constables to serve criminal process and arrest for crime during the time for which they shall be appointed.

§ 1826. Place of holding town and electors' meetings. In any town not divided into voting districts, the place of holding town and electors' meetings may be determined by a majority of the qualified voters present and voting at any town meeting specially warned and held for that purpose.

§ 1827. Special charter provisions not affected. No provision of the general statutes shall be construed to repeal any now existing charter provision relative to the election, term of office, or powers or duties of any town or city officer, or to the manner of warning or conducting any town or city meeting or election or any electors' meeting, but the powers and duties of such officers shall be and remain as provided in such charter.

§ 1846. Women eligible to certain town offices. No person shall be deemed to be disqualified from holding the offices

of assistant town clerk, registrar of births, marriages, and deaths, or of assistant registrar of births, marriages, and deaths, by reason of sex.

§ 1883. **Who are ineligible.** The office of constable shall not be held by a judge of any court, except a judge of a court of probate, nor by a justice of the peace.

§ 1998. **Organization of districts for municipal purposes.** Upon the petition of ten or more legal voters of any town in this state not residing within the territorial limits of any city or borough in said town specifying the limits of a proposed district to be organized for any or all of the purposes set forth in section 1999, and not including within said limits any part of any city or borough in said town, the selectmen of said town shall call a meeting of the legal voters residing within said specified limits, to act upon said petition, to be held at such place within said town, and at such hour as said selectmen shall designate, within fourteen days after said petition is received by said selectmen. Said meeting shall be called by posting a written notice of the same, signed by said selectmen, in some prominent place within said proposed district, at least five days before the time fixed for said meeting, and by advertising said notice in some newspaper published or circulated in said town.

§ 1999. Purposes of such districts. At such meeting the legal voters may establish the district for any or all of the following purposes, viz.: to extinguish fires, to sprinkle streets, to light streets, to plant and care for shade and ornamental trees; to construct and maintain sidewalks, crosswalks, drains, and sewers; to appoint and employ watchmen or police officers. They may give a name to the district and choose necessary officers therefor, to hold office until the first annual meeting thereof; and the district shall thereupon be a body corporate and politic, and have all the powers in relation to the objects for which it was established that are necessary for the accomplishment of said objects, including the power to lay and collect taxes. The clerk of said district shall cause its name and a description of its territorial limits, and of any additions that may be made thereto, to be recorded in the land records of the town in which such district is located.

§ 2000. Additional purposes. A district established for any of the purposes indicated in section 1999 may, from time to time, by vote, add thereto any other of said purposes; and from and after such vote it shall have all the powers and rights in relation to the new purposes that it previously had in relation to its original purposes.

§ 2001. **Officers.** The officers of such districts, and their powers and duties, shall be the same in relation to the purposes for which such districts are organized as the officers of school districts are for school district affairs; and except as otherwise provided the laws relating to school districts, *mutatis mutandis*, shall apply to such districts.

§ 2002. **Condemnation of land.** If any such district cannot obtain for a reasonable price any land or easement in land required by it for its purposes, it may apply to the superior court in the county in which such district is situated, and shall proceed in the same manner as is by law provided for the taking of land for highway purposes.

§ 2003. **Drains or sewers how paid for.** If any such district shall construct any drains or sewers, such proportion of the cost thereof as said district may determine, may be assessed by the committee of said district, in the manner prescribed by said district, upon the property specially benefited by such drains or sewers, and the balance of such cost shall be paid for out of the general funds of such district.

§ 2004. **Changes in district boundaries.** Upon the petition of a majority of the legal voters residing within limits contiguous to

any such district, praying to be admitted as a part of such district, the committee of said district shall call a special meeting of said district, and said district may, by a majority of the legal voters present and voting at such meeting, admit the territory described in said petition to be a part of said district; and whenever, under the provisions hereof, a fire district has been organized and no indebtedness exceeding five hundred dollars remains outstanding, and it shall be deemed for the best interests of said district to reduce the territorial size of the same, any ten voters of said district may petition for a change in the limits of said district for the purpose of reducing the size of the same, specifying the limits of the proposed changes to the committee of said district, and thereupon said committee shall, within five days thereafter, call a special meeting of said fire district, specifying therein the objects of said meeting, and shall give at least five days' notice of the time and place of holding said meeting, by publication in a newspaper having a circulation in said district, and the voters of said district, by a majority vote, may change the limits of said district for the purpose of decreasing the size of the same, specifying the new limits of said district; and, thereafter, said district shall be established in accordance with said new limits thus adopted.

§ 2005. **Restriction of powers.** Nothing in this chapter shall be construed as giving power to any such district to construct or purchase water works or electric light works without express power from the general assembly.

§ 2012. **Towns to provide for repair of highways.** Towns at their annual meetings may provide for the repair of their highways, for periods not exceeding five years, and if any town neglect to so provide at such meeting the selectmen may provide for such repairs for a period not exceeding one year.

§ 2132. **Classification of school visitors.** There shall be in every town, unless otherwise provided, a board of school visitors, composed of three, six, or nine members, as such town may determine, divided into three equal classes; the first class shall hold office until the next annual town meeting, the second class until the second annual town meeting, and the third class until the third annual town meeting following, and until others are elected in their places, *provided*, that when said board is composed of only three members, they shall not be divided into classes, and shall be elected for three years. Should a vacancy occur, the remaining members of the

board may fill it till the next annual town meeting, when vacancies shall be filled in the manner prescribed in section 2133, and the ballots shall distinctly specify the vacancy to be filled.

§ 2133. Election of school visitors. School visitors shall be chosen by ballot. If the number to be chosen be two, four, six, or eight, no person shall vote for more than half of such number. If the number to be chosen be three, no person shall vote for more than two; if five, not more than three; if seven, not more than four; if nine, not more than five. That number of persons sufficient to fill the board, who have the highest number of votes, shall be elected. In case of a tie that person whose name stands first or highest on the greatest number of ballots shall be elected.

§ 2134. Instruction in music. Any town, at its annual meeting, may direct its school visitors or town school committee to employ one or more teachers to give instruction in the rudiments and principles of vocal and instrumental music in its several schools, and the salary of such teachers shall be paid by such town.

§ 2135. Text-books and supplies. Any town at its annual meeting may direct the school visitors, town school committee, or

board of education to purchase, at the expense of said town, the text-books and other school supplies used in the public schools of said town, and said text-books and supplies shall be loaned to the pupils of said public schools free of charge, subject to such rules and regulations as the school visitors, town school committee, or board of education may prescribe.

§ 2137. **School fund treasurer.** Every town holding any permanent funds received from any school society or district shall annually elect, by ballot, a school fund treasurer, who shall have charge of such funds, keep a separate account of the same, and give bonds, with surety to the satisfaction of the selectmen, for the faithful discharge of the duties of his office.

§ 2149. **Establishment of evening schools in smaller towns.** Any town of less than ten thousand inhabitants may, at its annual town meeting, or at a meeting warned for that purpose, vote to establish evening schools under the provisions of sections 2145, 2146, and 2148.

§ 2158. **Procedure in electing boards of education.** In every school district in which a board of education is required by law to be elected by ballot, the ballot boxes

shall be open for the reception of votes, in districts having less than four hundred voters, three hours and not longer; in districts having over four hundred and less than one thousand voters, five hours and not longer; and no box for the reception of ballots shall remain open later than half past eight in the afternoon of the day of such election.

§ 2175. **Formation and alteration of school districts.** Each town shall have power to form, unite, alter, and dissolve school districts and parts of school districts within its limits; and two or more towns may form school districts of adjoining portions of their respective towns.

§ 2176. **Division of districts formed of parts of towns.** Whenever a school district is formed from parts of two or more towns, either of said towns may divide such district by uniting the portions lying in said town with any adjoining district therein.

§ 2193. **Conduct of meeting; registry list.** In every school district whose limits are the same as the limits of the town in which it is situated the town registry list shall be the registry list for school purposes, and in every other school district

enumerating four hundred or more children, as returned to the comptroller, the registrars of voters of the town in which the schoolhouse of said district is situated shall have the same powers in reference to voting lists, appointing moderators and box tenders of school district meetings, as they now have in the election of town, city, or ward officers; and said registrars of voters shall, upon the written request of twenty or more legal voters of said school district deposited with either of said registrars of voters at least twenty days before the annual meeting of said district, prepare and complete a correct list of all the legal voters of said school district, and lodge the same with the clerk of said district at least five days before said annual meeting; and in every other school district the clerk of said district shall, upon the written request of twenty or more legal voters of such district, lodged with said clerk at least twenty days before the annual meeting of said district, prepare the check list of the legal voters of said district, to be used at any meeting for the election of officers in said district, or for the taking of any vote by ballot which may be requested by one-third of the legal voters present at any meeting of the school district; said clerk shall add to said list the name of any legal voter omitted, and erase therefrom the name of any person improp-

erly entered thereon, and for this purpose he shall have all the powers within said district which the registrars of voters have in their respective towns.

§ 2194. **Vote by ballot, how ordered and taken.** Whenever one-third of the legal voters present at any meeting of a school district having such registration shall request that any vote or votes upon any question pending before such meeting shall be taken by ballot and check list of the legal voters of said district the chairman of such meeting shall cause said vote or votes to be so taken, and if said vote or votes cannot be then and there conveniently and properly taken, he shall, upon the like request of said one-third of the legal voters present, adjourn said meeting to the usual polling place or places in said district, if there be any, and, if there be none, then to the most suitable and convenient place or places in said district, at such time within one week thereafter as he may designate, when and where said vote or votes shall be taken between the hours of nine o'clock in the morning and five o'clock in the afternoon, and the result shall be ascertained and declared by said chairman, and recorded by the clerk upon the records of said district.

§ 2195. Special meetings. Upon the written request of twenty or more legal voters of any school district having such registration to the committee to call a special meeting to vote by ballot and check list upon any resolutions appended to such request, said committee shall call such meeting within three weeks thereafter, at some suitable time and place in such district, to be particularly stated in the call, when and where said vote or votes shall be taken, and the result ascertained, declared, and recorded in the manner provided in section 2194. Upon like request, the committee of any school district having such registration shall cause all elections of officers of such district to be had by ballot and check list.

§ 2196. Compensation for preparing lists. The compensation of each of said registrars of voters, or of said district clerks for preparing said lists, shall be the same *per diem* as that paid by the town in which said district is situated to said registrars of voters, for preparing the voting lists used at state, town, city, or ward elections, and shall be paid by the treasurer of the school district for which such list is prepared.

§ 2197. Illegal voting in district meeting. Every meeting may choose its own

moderator, and may adjourn from time to time to meet at the same or some other place in the district. Every person who shall vote illegally in any school district meeting shall be fined not more than thirty dollars.

§ 2198. Committee and other officers of district. Each school district, unless otherwise provided by law, shall choose by ballot, at the annual meeting, a committee of not more than three persons, a clerk, who shall be sworn, a treasurer, and a collector, who shall hold their respective offices for the period of one year from the fifteenth day of July next succeeding, and until others are chosen and qualified; and any resident of the district so chosen who shall refuse or neglect to perform the duties of the office, shall pay five dollars to said district; but any new district may at its first or at any subsequent meeting, called by the selectmen of the town, choose its officers who shall hold office till the annual meeting of such district. The members of the district committee shall be residents of the district; but the other offices may be filled by any inhabitants of the town to which said district belongs.

§ 2199. Committee in districts having two hundred children. Any school district having by its last enumeration not

less than two hundred children between four and sixteen years of age, may, at any annual meeting, due notice being inserted in the call therefor, order that its committee shall consist of three persons chosen by ballot, divided into three classes holding office for one, two, and three years, and that annually thereafter one member shall be chosen by ballot, to hold office for three years. Should a vacancy occur the remaining members of the committee may fill it until the next annual district meeting, when all vacancies shall be filled. Whenever a district has appointed its committee as herein provided such district may, at any special meeting called for the purpose, vote that it will no longer so appoint its committee; thereupon the terms of office of all the members of its committee shall end at its next annual meeting and thereafter its committee shall be appointed according to the provisions of section 2198.

§ 2200. Majority to elect. In the election of officers of a school district a majority of the votes cast shall be required to elect, unless otherwise expressly provided.

§ 2201. Certificate of election of officers. The clerk of every school district

shall, within thirty days after the election of officers in such district, forward to the secretary of the board of school visitors of the town wherein said school district is located, a certified list of the officers elected at such meeting, together with the post-office address of each. If a district is situated partly in two or more towns such list shall be sent to the secretary of the board of school visitors of each of said towns. Every clerk who shall fail to comply with any provision of this section shall be fined not more than ten dollars.

§ 2202. Vacancies, how filled. If a district, at the time for the annual meeting, shall fail to appoint all, or any, of its officers, or if a vacancy shall occur, the school visitors of the town to which such district belongs shall make such appointment and fill such vacancy; and shall lodge the names of the officers, so appointed, with the district clerk. This section shall not apply to vacancies occurring under the provisions of section 2199.

§ 2209. Site of schoolhouse how fixed. Any school district, by a vote of two-thirds of those present and voting at a legally warned meeting of the district, may fix or change the site of a schoolhouse; but if such two-thirds vote cannot be obtained in favor of any site, the school visitors

of any town adjoining the town or either of the towns in which such district is, on application of the district, shall, after conferring with the school visitors of the town or towns in which such district is situated, fix the site, and make return to the town clerk of the town in which such site is located; and shall receive a reasonable compensation for their services from said district.

§ 2212. Consolidation of districts.

Any town may abolish all the school districts, and parts of school districts, within its limits, and assume and maintain control of the public schools therein, subject to the requirements and restrictions imposed by the general assembly; and for this purpose every such town shall constitute one school district, having all the powers and duties of a school district, with the exceptions hereinafter stated.

§ 2213. Vote to be by ballot at annual meeting. Whenever a vote shall be taken in any town in reference to abolishing school districts and assuming control of public schools therein, such vote shall be by ballot at an annual town meeting, upon notice thereof given in the warning. The selectmen shall provide a ballot box for that purpose, marked "Consolidation of Districts." Those in favor of such

consolidation shall deposit in said box a ballot with the word "Yes" written or printed thereon, and those opposed shall deposit a ballot with the word "No" written or printed thereon, and in towns divided into wards or voting districts for annual town meetings such a ballot box shall be provided at each of such wards or voting districts, and the ballots shall be examined, assorted, counted, and declared in the manner provided by law.

§ 2214. When vote to consolidate takes effect. A vote to consolidate the school districts in any town into one district shall take effect on the first Monday of July next succeeding said vote, and any town assuming the control of its public schools, as provided in this chapter, may at any annual meeting, not previous to the fifth annual meeting thereafter, vote to abandon such control and re-establish the several districts as they were before said action, which vote shall be by ballot, in the manner prescribed in section 2213.

§ 2215. As amended by Section 1, Chap. 97, Pub. Acts, 1905. Number and election of committee; qualifications. The selectmen of a town voting to consolidate shall determine, not later than the first Monday of May, the number of which the town school committee shall con-

sist. Such committee shall consist of either three, six, nine, or twelve residents of said town. Every such town shall, at a special meeting of said town called for the purpose by the selectmen, to be held on the first Monday of June following, elect by ballot a town school committee of the number determined upon by said selectmen. In all cases the number of the committee to be elected shall be stated in the warning of said meeting. Such election shall be conducted in the same manner as the annual elections of towns.

§ 2216. As amended by Section 2, Chap. 97, Pub. Acts, 1905. Minority representation on committee; terms of office. If the number of the committee to be elected shall be six or twelve no person shall vote for more than half that number; if the number be nine, no person shall vote for more than five, and the six, nine, or twelve persons, as the case may be, receiving the highest number of votes, shall be the town school committee of said town for the respective terms as hereinafter provided, commencing on the first Monday of July next following. The members of such committee so elected shall divide themselves into three equal classes, holding office respectively until the second, third, and fourth subsequent annual town elections of said town, at which elections and

at every annual election, subsequent to the last thereof, two, three, or four members, as the case may be, shall be elected by ballot for a term of three years, in the manner prescribed in section 2133. If the number of the committee to be elected shall be three, the members thereof shall all be annually elected at the annual town meeting, and no person shall vote for more than two; the three persons receiving the highest number of votes shall be such town school committee.

§ 2217. **School business to be done at town meetings.** All business relating to public schools in such towns shall be transacted at town meetings.

§ 2218. **General powers of town school committee.** The town school committee shall have the powers and duties of high school committees, district committees, and boards of school visitors; shall see that good public schools of the different grades are maintained in the various parts of the town, for not less than the length of time that would be required had no such consolidation been made; manage the property of the town pertaining to schools; examine, employ, and dismiss the teachers for the schools of such towns; lodge all bonds, leases, notes, and other securities with the treasurer of said town, unless the

same have been intrusted to others by the grantors, or the general assembly; pay the town treasurer all moneys which they may receive for the support of schools; determine the number and qualifications of the scholars to be admitted into each school; designate the schools which shall be attended by the children within their jurisdiction, and may arrange with the committee of any adjacent town or district for the instruction therein of such children as may attend there more conveniently; shall fill vacancies in their own number until the next annual town meeting when vacancies shall be filled as provided in section 2215, and the ballots shall distinctly specify the vacancy to be filled; shall annually, during the first two weeks of September, ascertain the expenses of maintaining the schools under their superintendence, during the year ending the fourteenth day of the previous July, and report the same, with the amount of moneys received toward the payment thereof, to the annual town meeting, and shall, at the same time, make a full report of their doings, and the condition of the schools under their superintendence, and of all important matters concerning the same; and shall perform all lawful acts which may be required of them by the town or which may be necessary to carry into effect the provisions of this title.

§ 2219. Property of consolidated dis-

tricts. Such towns shall assume the property and be responsible for the debts of the districts within their respective limits. Such property shall be appraised and the amount of the debts estimated under the direction of the town, and the appraised value of such property may be raised by a tax to be laid by the town on its grand list next completed; and if such tax is raised, the taxpayers in each of the districts previously existing shall be paid or credited on the rate bill with their respective proportions of any excess of the property of such district over and above its liabilities, as ascertained by the town; or the difference in the value of the property of the several districts may be adjusted in any other manner agreed upon by the parties in interest. Permanent funds vested in any town for school purposes shall remain in charge of the school fund treasurer of the town.

§ 2220. Time for paying tax extended. Whenever any town shall have assumed control of and appraised the school property as provided in section 2219, the town may, by vote in town meeting, extend the time in which the taxpayers of any district or districts shall be required to pay the excess of assessment over the appraised value of the property in such district for a period not exceeding five years, and all the property belonging to the school districts over which any town has assumed

or shall assume control shall be vested in such town to be held for school purposes so long as so required, and may be sold and deeded by said town when not required for school purposes.

§ 2221. As amended by Chapter 17, Pub. Acts, 1905. Proceedings in case of joint districts. Whenever any town has voted, or shall vote, to assume control of all the schools, as provided in this chapter, in case there is a joint district the selectmen of the towns out of which such joint district is formed shall meet within ten days after receiving a written request for such meeting signed by the first selectman of either of said towns, and appraise the schoolhouse and other school property owned and used by said joint district and determine what proportion is owned by the inhabitants of the towns residing in said district. If the several boards of selectmen shall not agree, the same shall be determined by a judge of the superior court upon application of either of the boards of selectmen, and his decision shall be final. The proportion belonging to the taxpayers of the town in which the property is not located, after deducting the indebtedness of the district, shall be paid to the treasurer of such town by the treasurer of the town in which such property is located.

§ 2222. Management of permanent funds. In case any school district, formerly existing in a town in which the school districts have been or shall be abolished or consolidated, has received a permanent fund for the support of a school or schools in said district, the school fund treasurer shall have charge of it, and keep a separate account thereof; and the income of said fund shall be held subject to the order of the town school committee, which shall apply it for the benefit of the school or schools within or nearest to the limits of the district formerly existing, in such manner as to carry out, as nearly as possible, the intent of the grantor of said fund.

§ 2223. School libraries. Every such town shall be entitled to receive from the state, annually, and upon the conditions prescribed for school districts, for the purposes of school libraries, a sum not exceeding the aggregate amount which the former districts of said town might have received in like circumstances.

§ 2224. Payment of school expenses. The expenses of maintaining public schools in such towns, which shall be incurred with the approval of the town school committee, shall be paid by the town treasurer on orders drawn by the town school committee,

except so far as they may be met by the income from local school funds.

§ 2225. Notice when part of district is abolished. When any part of a school district lying in two or more towns shall be abolished or consolidated by either, its selectmen shall give immediate notice thereof to the selectmen of the other town or towns, which shall thereafter provide for the schooling of the children belonging thereto, who formerly belonged to said school district.

§ 2226. Settlement of affairs of abolished district. Any school district which has been, or shall be, abolished by any town, may settle and close up its affairs; and its district committee last elected, or the selectmen of said town, may call special meetings of the district.

§ 2227. Payment of debts of such district. If any such district has, or shall, become liable, by judgment or otherwise, to pay any claims or demands upon it, or if expenses and liabilities have been or shall be incurred by it in settling up its affairs, after consolidation, the selectmen of said town, upon the request of said district, shall pay the same and charge the amount to the district, and said amount shall be raised by the selectmen adding the

same to the tax to be laid by the said town on its grand list next completed of the taxable property of such district.

§ 2228. Collection of taxes of such district. Said selectmen shall collect all taxes, claims, and demands in favor of such district, in the name of the district, and credit the same to the district, less expenses of collection.

§ 2229. Towns to be reimbursed for improvements. When any town has voted to re-establish its school districts as provided in section 2214, each of the districts shall pay the town for all improvements which the town has made on the school-house, its furniture, and appurtenances within the district. The amounts to be thus paid shall be determined by the selectmen and the town school committee. When such payments are made the town shall restore or make good to each of the districts the school property and local funds formerly belonging to the district. If any district shall refuse or neglect to make the payment required by this section till the expiration of six months after the passage of the vote of the town to re-establish the districts, the selectmen may cause a tax sufficient to make said payment, including the cost of laying and collecting such tax, to be laid on the district in the manner provided by law for school district taxes

except that the selectmen shall perform the duties required of district committees therein, and to be collected and paid to the town.

§ 2230. **Vote to re-establish.** A vote to re-establish the school districts shall not take effect further than to authorize the district to hold meetings, lay and collect taxes, and appoint officers for these purposes, till all the settlements and payments required by section 2229 have been made; and unless such payments and settlements are made within one year after the passage of said vote said vote shall be null and void.

§ 2231. **Town school committee to become school visitors.** When any town in which the school districts have been consolidated has abandoned or shall abandon such system, the persons elected school committee of such consolidated districts at the election next preceding such abandonment shall be and remain the members of the board of school visitors of such town, with all the powers and duties of school visitors, during the term for which they were or may be respectively elected, in the same manner as if elected school visitors of such town.

§ 2232. **Taking land for school purposes.** Towns shall have the same powers,

and be subject to the same regulations, as school districts, in taking land for school-houses, outbuildings, and convenient accommodations for schools.

§ 2233. Powers and duties. The committee of every district shall give due notice of all meetings of the district; may call a special meeting thereof at any time, and shall call one on the written request of one-fifth or of ten of the legal voters in the district stating the object for which a meeting is desired, to be held within fifteen days after such request is presented; and for any failure so to comply with such request they shall be fined not more than thirty dollars. They shall provide suitable schoolrooms, and furnish the same with fuel properly prepared; visit the schools, by one or more of their number, twice at least during each term; shall, when the scholars are not properly supplied with books, and their parents are too poor to furnish them, provide the same, the cost thereof to be included in the incidental expenss of the term; shall suspend, or expel from school for the term, or for any part thereof, all pupils found guilty, on full hearing, of incorrigibly bad conduct; and shall give such information and assistance to the school visitors of the town as they may require.

§ 2236. High schools may be established by towns. Any town may establish and maintain a high school within its limits, and for such purpose purchase, receive, hold, and convey any property, build and repair schoolhouses, lay taxes, and make contracts and adopt regulations for the management of such school.

§ 2237. High school committee, how chosen. Any town which is not a consolidated district may choose by ballot at its annual town meeting a committee of three, four, or five residents of the town, who shall have all such powers and be subject to such duties in relation to such schools as are by law imposed upon district committees in relation to district schools. If the number to be chosen is three or four, no person shall vote for more than two; if five, for not more than three. The number of persons sufficient to fill the committee who have the highest number of votes shall be elected. In case of a tie that person whose name stands first or highest on the greatest number of ballots shall be elected.

§ 2638. License or no license, when and how determined. Upon the petition of not less than twenty-five legal voters of any town, the selectmen thereof shall notify

the legal voters of said town that at the next annual town meeting a ballot will be taken to determine whether any person shall be licensed to sell spirituous and intoxicating liquors in said town. The ballot shall be cast either in favor of or against the granting of licenses for the sale of spirituous and intoxicating liquors, and the vote then taken shall remain in full force until annulled by a new vote taken at an annual town meeting, upon petition and after due notice as aforesaid, which vote shall become operative on the first Monday of the month next succeeding said town meeting.

§ 2639. **Secret ballot on license question. Official envelopes.** When any town shall vote upon the question of license, the selectmen of the town shall provide a suitable ballot box for the reception of the license votes, which box shall be marked "License," and said box shall be kept open for the reception of votes upon the question of license during the same hours as is the box for the reception of the votes for town officers. Box-tenders and a checker shall be appointed by the registrars as is provided for the ballot box for the reception of the votes for town officers, and the duties of such box-tenders and checker shall be the same as are imposed upon the box-tenders and checkers for the ballot

box for town officers. The secretary of state shall furnish the town clerk of each town voting on the question of license, upon application of said town clerk, at least three days before election, a sufficient number of official envelopes to supply each of the electors of said town. Said envelopes shall be uniform in size and color, which color shall correspond with the color of the ballots furnished under the provisions of section 2640. They shall be self-sealing, and upon the face of the envelope shall be printed the word, "License," and upon the back the words, "Official envelope." The duties of the tenders of the envelope booth shall be the same in regard to the license envelopes as those of official envelope booth-tenders at elections. The duties of all other town or election officers shall be the same in regard to the "License" envelopes that they are in regard to the other official envelopes.

§ 2640. Secretary to furnish license ballots. Their form. When any town shall vote upon the question of license, the secretary of state shall furnish official ballots, of uniform size, color, quality, and thickness, which color shall be different from that of the general town ticket. Said ballots shall have upon the back of each the words, "Official Ballot"; and upon the face of the no-license ballots shall be

printed the words, "License, No"; and upon the face of the license ballots shall be printed the words, "License, Yes"; and the printing upon the back shall be uniform in all respects, and upon the face shall be uniform in all respects, as is now provided for in the official ballots for town officers; and any voter may cross out the word, "Yes," or the word, "No," on any ballot, and write in place thereof the word, "No," or the word, "Yes." The secretary shall furnish to such persons as shall apply for them such number of official license and no-license ballots as they may desire, upon payment of the cost thereof. The ballot provided for in this section shall be the only legal ballot to be used in voting on the question of license, and shall be enclosed and sealed in the official license envelope provided for in section 2639 by the voter while within the voting booth, and deposited in the ballot box provided for the license vote, under the same provisions of law that apply to envelopes for town officers. The ballots thus cast shall be counted and returned as provided by section 1656.

§ 2641. License contrary to town vote void. Whenever any town shall have voted upon the question of license as aforesaid, any license granted in such town which is

not in accordance with such vote shall be void.

§ 2699. **Liquor saloons to be closed on election days.** Every person who by himself, his servant, or agent, between the hours of twelve o'clock of the night preceding the day of any state, town, or city election and five o'clock of the morning following any such election, shall keep open any room, place, enclosure, structure, or building in which spirituous or intoxicating liquors are sold or offered and exposed for sale to be drunk on the premises; and every person who by himself, his servant, or agent shall keep open any room, place, enclosure, structure, or building in which spirituous and intoxicating liquors are sold or offered for sale to be drunk on the premises during the hours in which any borough election is held, shall be subject to the penalties of section 2712.

§ 2722. **Appointment of town agent in no-license town.** Whenever any town shall have voted by ballot at its annual town meeting that no person shall receive a license for the sale or exchange of spirituous and intoxicating liquors within said town, the selectmen of said town shall appoint in towns of not more than five thousand inhabitants, as established by the last preceding census of the United States,

one suitable person to act as the agent of such town for the purchase and sale of spirituous and intoxicating liquors within the limits of said town, for sacramental, medicinal, chemical, and mechanical uses only; and in towns of more than five thousand inhabitants, as established by said census, said selectmen may, at their discretion, appoint one such agent for each five thousand inhabitants, and for any fraction exceeding one-half thereof. Such selectmen, or a majority of them, may remove any such agent or agents at pleasure, and appoint others in their stead. Every such agent shall hold his office for one year or until the next succeeding board of selectmen shall come into office, unless sooner removed. Such selectmen shall authorize the treasurer of said town to furnish to said agent the necessary money for the purchase of spirituous and intoxicating liquors for the uses aforesaid.

§ 4443. As amended by Chap. 83, Pub. Acts, 1903, and Chap. 114, Pub. Acts, 1905. Tree wardens. Every town shall, at its annual town meeting, elect a tree warden who shall serve for one year from the date of his election and until his successor has been elected and qualified. Said tree warden may appoint such number of deputy tree wardens as he deems exped-

ient, and may at any time remove them from office. He and his deputies shall receive such compensation for their services as the town may determine, and, in default of such determination, as the selectmen may prescribe. He shall have the care and control of all public shade trees in the town, except those in public parks or open places under the jurisdiction of park commissioners, and of these he shall take the care and control if so requested in writing by the park commissioners. He shall expend all funds appropriated for the setting out and maintenance of such trees. He may prescribe such regulations for the care and preservation of such trees, enforced by fines, not exceeding twenty dollars in any one case, as he may deem just and expedient; and such regulations, when approved by the selectmen and posted on the public signpost in the town, shall have the force and effect of town by-laws. He shall enforce all provisions of law for the preservation of such trees; provided, that such provisions do not conflict with any city or borough ordinance. The provisions of this act shall not apply to any town which includes within its limits a city having boundaries identical with the boundaries of said town.

§ 4413. As amended by Chap. 26, Pub. Acts; 1903, and Chap. 246, Pub.

Acts, 1905. Naturalization of aliens. The superior court and court of common pleas in any county, when sitting at any place where either of said courts is authorized to be held, the district court of Waterbury, the city courts of Ansonia, Meriden, and New Britain may, and no other court of the state shall, admit aliens to become citizens of the United States; and aliens may declare their intention to become citizens before the clerks of either of said courts in the county in which such aliens reside; but no alien shall be admitted to become a citizen by the superior court or court of common pleas except in the county in which he resides, nor by said district court, or the city court of either of said cities, unless he resides in the territory over which said courts respectively exercise jurisdiction; provided, however, that for the purposes of this section the jurisdiction of the city court of Ansonia shall include the towns of Derby and Seymour.

§ 4414. **Sessions of courts for naturalization.** In the counties of Windham, Middlesex, and Tolland, the superior court shall be in session on the Friday of the second week before, and on the day before, the electors' meeting to be held on the Tuesday after the first Monday of November, 1902, and biennially thereafter, for the purpose of admitting aliens to become citi-

zens of the United States. The courts of common pleas and district court, respectively, in the other counties, shall be in session on said days for the same purpose.

§ 449. As amended by Chap. 37, Public Acts, 1905. Sessions at Bristol, Torrington and Thomaston. For the purpose of naturalizing aliens, the court of common pleas in Hartford county may hold sessions in the town of Bristol, and said court in Litchfield county may hold sessions in the towns of Torrington and Thomaston.

§ 4415. Record of witnesses and their testimony. When either of said courts shall admit an alien to become a citizen of the United States, the clerk thereof shall make a record of the names and residences of all persons testifying in behalf of such alien and of the substance of their testimony, and preserve the same; and he shall keep among the files of said court all declarations of intention to become citizens, and certified copies of such declarations, and all certificates that may be offered in evidence except discharges from the army or navy of the United States, and upon all such discharges offered in evidence he shall indorse a certificate of the naturalization of the persons holding the same.

§ 4416. Naturalization certificate must be dated. Every certificate of naturalization issued by any court of this state shall specify upon its face the date when it was granted.

§ 4417. Applicant to pay for naturalization papers. Every clerk of a court issuing naturalization papers who shall not require the payment of the legal fee therefor, by the applicant, at the time such papers are delivered, shall forfeit his office and shall be ineligible to reappointment for five years.

§ 4418. Penalty if otherwise paid. Every person who shall individually or as a member of any committee or political organization, pay the fee for naturalization papers issued to another, or shall agree or become obligated to pay therefor, or to refund the amount paid therefor, shall be fined not less than seven nor more than one hundred dollars.

Laws of the United States Concerning Naturalization.

§ 1992. All persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States.

§ 1993. All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States.

§ 1994. Any woman who is now or may hereafter be married to a citizen of the United States, and who might herself be lawfully naturalized, shall be deemed a citizen.

§ 1995. All persons born in the district of country formerly known as the Territory of Oregon, and subject to the jurisdiction of the United States on the 18th of May, 1872, are citizens in the same manner as if born elsewhere in the United States.

§ 1996. All persons who deserted the military or naval service of the United States and did not return thereto or report themselves to a provost-marshal within sixty days after the issuance of the proclamation by the President, dated the 11th day of March, 1865, are deemed to have voluntarily relinquished and forfeited their rights of citizenship, as well as their right to become citizens; and such deserters shall be forever incapable of holding any office of trust or profit under the United States, or of exercising any rights of citizens thereof.

§ 1998. Every person who hereafter deserts the military or naval service of the United States or who, being duly enrolled, departs the jurisdiction of the district in which he is enrolled, or goes beyond the limits of the United States, with intent to avoid any draft into the military or naval service, lawfully ordered, shall be liable to all the penalties and forfeitures of section nineteen hundred and ninety-six.

§ 5528. Every officer of the Army or Navy, or other person in the civil, military or naval service of the United States, who orders, brings, keeps, or has under his authority or control, any troops or armed men at any place where a general or special election is held in any state, unless such

force be necessary to repel armed enemies of the United States or to keep the peace at the polls, shall be fined not more than five thousand dollars, and suffer imprisonment at hard labor not less than three months nor more than five years.

§ 5529. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, advice, or otherwise, prevents, or attempts to prevent, any qualified voter of any state from freely exercising the right of suffrage at any general or special election in such state, shall be fined not more than five thousand dollars, and imprisoned at hard labor not more than five years. ,

§ 5530. Every officer of the Army or Navy who prescribes or fixes, or attempts to prescribe or fix, whether by proclamation, order, or otherwise, the qualifications of voters at any election in any state, shall be punished as provided in the preceding section.

§ 5531. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, or otherwise, compels, or attempts to compel, any officer holding an election in any state, to receive a vote from a person not legally qualified to vote, or who imposes, or attempts to

impose, any regulations for conducting any general or special election in a state different from those prescribed by law, or who interferes in any manner with any officer of an election in the discharge of his duty, shall be punished as provided in section fifty-five hundred and twenty-nine.

§ 5532. Every person convicted of any of the offenses specified in the five preceding sections, shall, in addition to the punishments therein severally prescribed, be disqualified from holding any office of honor, profit, or trust under the United States; but nothing in those sections shall be construed to prevent any officer, soldier, sailor, or marine from exercising the right of suffrage, in any election district to which he may belong, if otherwise qualified according to the laws of the state in which he offers to vote.

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